

A Bill for an Act Relating to Motor Vehicle Accident Reparations.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 294-31, Hawaii Revised Statutes is amended to read as follows:

“Sec. 294-31 Fraudulent or frivolous claims. Within the discretion of the court, an insurer or self-insurer may be allowed an award of a reasonable sum as attorney’s fee, based upon actual time expended, and all reasonable costs of suit for its defense against a person making claim against such insurer or self-insurer where such claim is determined by the court to be fraudulent or frivolous, and such attorney’s fee and all such reasonable costs of suit so awarded may be treated as an offset against any benefits due or to become due to such person.

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the

brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 24, 1978.)

*Edited accordingly.