

ACT 281

H.B. NO. 2870

A Bill for an Act Relating to Workers' Compensation.

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

SECTION 1. Section 386-51.5, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§386-51.5]] Limited liability in concurrent employment.~~ Where an employee is concurrently engaged in more than one employment covered by this chapter and sustains a personal injury in one employment under conditions specified

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in section 386-3, the liability of the employer shall be limited to the benefits as would be payable had the employee no other employment than the one in which the employee was injured[; provided that if the employment in which the employee sustained the injury is a part-time employment, the employer's liability shall be limited to the benefits as would be payable to an employee in a comparable employment, engaged as a full-time employee on an annual basis in the type of employment in which the injury occurred]. The balance of the employee's benefits shall be paid from the special compensation fund, except that benefits for disability rated as a percentage of total impairment of physical or mental function of the whole person shall be the sole liability of the employer.''

SECTION 2. Statutory material to be repealed is bracketed.

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

(Approved July 20, 1998.)