
A BILL FOR AN ACT

RELATING TO OWNERS OF LAND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that sections 520-3 and
2 520-4(a), Hawaii Revised Statutes, erroneously refer to section
3 520-6, Hawaii Revised Statutes, and should instead refer to
4 section 520-5, Hawaii Revised Statutes. The legislature also
5 finds that sections 520A-3 and 520A-4(a), Hawaii Revised
6 Statutes, erroneously refer to section 520A-6, Hawaii Revised
7 Statutes, and should instead refer to section 520A-5, Hawaii
8 Revised Statutes.

9 The legislature further finds that the legislative
10 reference bureau's revision bill is not the correct vehicle to
11 make these changes, since there are questions of legislative
12 intent.

13 Therefore, the purpose of this Act is to correct erroneous
14 references in chapters 520 and 520A, Hawaii Revised Statutes.

15 SECTION 2. Section 520-3, Hawaii Revised Statutes, is
16 amended to read as follows:



1 "§520-3 Duty of care of owner limited. Except as
2 specifically recognized by or provided in section [~~520-6,7~~]
3 520-5, an owner of land owes no duty of care to keep the
4 premises safe for entry or use by others for recreational
5 purposes, or to give any warning of a dangerous condition, use,
6 structure, or activity on such premises to persons entering for
7 such purposes, or to persons entering for a purpose in response
8 to a recreational user who requires assistance, either direct or
9 indirect, including but not limited to rescue, medical care, or
10 other form of assistance."

11 SECTION 3. Section 520-4, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) Except as specifically recognized by or provided in
14 section [~~520-6,7~~] 520-5, an owner of land who either directly or
15 indirectly invites or permits without charge any person to use
16 the property for recreational purposes does not:

17 (1) Extend any assurance that the premises are safe for
18 any purpose;

19 (2) Confer upon the person the legal status of an invitee
20 or licensee to whom a duty of care is owed;



1 (3) Assume responsibility for, or incur liability for, any
2 injury to person or property caused by an act of
3 omission or commission of such persons; and

4 (4) Assume responsibility for, or incur liability for, any
5 injury to person or persons who enter the premises in
6 response to an injured recreational user."

7 SECTION 4. Section 520A-3, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§520A-3 Duty of care of owner limited.** Except as
10 specifically recognized by or provided in section [~~520A-6,]~~
11 520A-5, an owner of land owes no duty of care to keep the
12 premises safe for entry or use by others for control or
13 eradication of invasive species, or to give any warning of a
14 dangerous condition, use, structure, or activity on such
15 premises to persons entering for such purposes, or to persons
16 entering in response to such persons who require assistance,
17 either directly or indirectly, including but not limited to
18 rescue, medical care, or other form of assistance."

19 SECTION 5. Section 520A-4, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:



1 "(a) Except as specifically recognized by or provided in
2 section [~~520A-6,7~~] 520A-5, an owner of land who either directly
3 or indirectly invites or permits without charge any person to
4 use the property for control or eradication of invasive species
5 does not:

6 (1) Extend any assurance that the premises are safe for
7 any purpose;

8 (2) Confer upon the person the legal status of an invitee
9 or licensee to whom a duty of care is owed;

10 (3) Assume responsibility for, or incur liability for, any
11 injury to any person or property caused by an act of
12 omission or commission of such persons; and

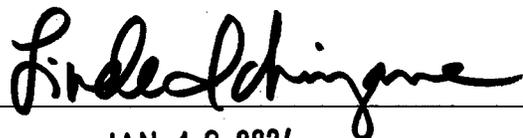
13 (4) Assume responsibility for, or incur liability for, any
14 injury to any person or persons who enter the premises
15 in response to an injured person who entered the
16 premises to control or eradicate invasive species."

17 SECTION 6. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 7. This Act shall take effect upon its approval.

20

INTRODUCED BY:



JAN 19 2024



H.B. NO. 1920

Report Title:

Real Property; Land Owner; Error

Description:

Corrects erroneous references in chapters 520 and 520A, Hawaii Revised Statutes.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

