
A BILL FOR AN ACT

RELATING TO EXCEPTIONS TO TORT ACTIONS.

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

1 SECTION 1. Chapter 663, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§663- Exceptions. A county shall not be liable for:

- 5 (1) Any claim based upon an act or omission of an employee
6 of the county, exercising due care, in the execution
7 of a statute or rule, whether or not the statute or
8 rule is valid, or based upon the exercise or
9 performance or the failure to exercise or perform a
10 discretionary function or duty on the part of a county
11 officer or employee, whether or not the discretion
12 involved has been abused;
- 13 (2) Any claim arising in respect of the assessment or
14 collection of any tax, or the detention of any goods
15 or merchandise by law enforcement officers;
- 16 (3) Any claim for which a remedy is provided elsewhere in
17 the laws of the county or State; and



1 (4) Any claim against a county officer or employee arising
2 out of assault, battery, false imprisonment, false
3 arrest, malicious prosecution, abuse of process,
4 libel, slander, misrepresentation, deceit, or
5 interference with contract rights."

6 SECTION 2. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun, before its effective date.

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

11

INTRODUCED BY:

Calvin K. Say

BY REQUEST

JAN 22 2007



Report Title:

Tort Actions; Exceptions; County

Description:

Establishes new exceptions from liability for counties in tort actions.

