S.B. NO. 3263

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JAN 2 3 2008

## A BILL FOR AN ACT

RELATING TO CIVIL ACTIONS.

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

1	SECI	TION 1. Section 634-35, Hawaii Revised Statutes, is
2	amended k	by amending subsection (a) to read as follows:
3	"(a)	Any person, whether or not a citizen or resident of
4	this Stat	e, who in person or through an agent does any of the
5	acts hereinafter enumerated, thereby submits such person, and,	
6	if an ind	lividual, the person's personal representative, to the
7	jurisdiction of the courts of this State as to any cause of	
8	action ar	ising from the doing of any of the acts:
9	(1)	The transaction of any business within this State;
10	(2)	The commission of a tortious act within this State;
11	(3)	The ownership, use, or possession of any real estate
12		situated in this State;
13	(4)	Contracting to insure any person, property, or risk
14		located within this State at the time of
15		contracting[-]; or
16	(5)	The commission of a tortious act against an inmate, as
17		defined in section 355D-1, article 2, under the



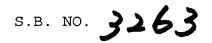
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1	control of the State of Hawaii who is transferred,		
2	pursuant to section 355D-2, to an institution, as		
3	defined in section 355D-1, article 2, located outside		
4	this State."		
5	SECTION 2. Chapter 355, Hawaii Revised Statutes, is		
6	amended by adding a new section to be appropriately designated		
7	and to read as follows:		
8	"§355D- Preservation of civil jurisdiction. A contract		
9	entered into by director of public safety on the behalf of the		
10	State of Hawaii implementing the participation of the State in		
11	the Western Interstate Corrections Compact pursuant to article 3		
12	thereof, shall extend the Hawaii courts jurisdiction over the		
13	commission of a tortious act against an inmate by the		
14	contractor, as defined in section 355D-1, article 2, or their		
15	agents."		
16	SECTION 3. Statutory material to be repealed is bracketed		
17	and stricken. New statutory material is underscored.		
18	SECTION 4. This Act shall take effect upon its approval.		
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**Report Title:** Corrections; Inmate; Jurisdiction; Civil Action

## Description:

Gives the State of Hawaii courts jurisdiction over civil actions brought by Hawaii inmates for events that occurred while incarcerated in a mainland prison.

