

JAN 21 2010

A BILL FOR AN ACT

RELATING TO THE CIVIL DEFENSE AND EMERGENCY ACT.

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

SECTION 1. Section 128-19, Hawaii Revised Statutes, is amended to read as follows:

"§128-19 Immunity from liability of private shelter. Any individual, partnership, firm, society, unincorporated association, joint venture group, hui, joint stock company, corporation, trustee, personal representative, trust estate, decedent's estate, trust, or other legal entity whether doing business for itself or in a fiduciary capacity, owning or controlling real property, who voluntarily and without compensation grants a license or privilege for, or otherwise permits, the designation by the director of civil defense for the use of the whole or any part of the property for the purpose of sheltering persons during an actual, impending, mock or practice attack, natural disaster or man-made disaster shall, together with its successors in interest, if any, not be civilly liable for negligently causing the death of or injury to any person or damage to any personal property on the property of the licensor in connection with the use of the licensed premises for

SB LRB 10-1012.doc



S.B. NO. 2202

1 the purposes designated. For purposes of this section, the
2 consideration paid by any guest or person for transient
3 accommodation lodging shall not be considered compensation."

4 SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY: _____

By Request



Report Title:

Civil Defense

Description:

Extends immunity from liability to a person who voluntarily permits the use of the person's property to shelter people during a natural or man-made disaster.

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

