
A BILL FOR AN ACT

RELATING TO TORT LIABILITY.

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

1 SECTION 1. The liability protections afforded to
2 lifeguards in section 663-1.52, Hawaii Revised Statutes,
3 originally enacted by Act 170, Session Laws of Hawaii 2002, (Act
4 170) are scheduled to sunset on June 30, 2017, in accordance
5 with Act 98, Session Laws of Hawaii 2014.

6 The legislature finds that Act 170 provides limited
7 liability protection for county lifeguards and counties
8 providing lifeguard services on beaches or in the ocean, except
9 in the case of gross negligence or wanton acts or omissions.
10 This limited liability protection was made necessary because
11 some counties would not otherwise provide lifeguard services at
12 state beach parks, due to the fear of potential liability. The
13 legislature finds that Act 170 created a climate in which
14 lifeguard services can be provided by the counties without fear
15 of liability and, therefore, is a life-saving measure that
16 should be extended.



1 The purpose of this Act is to extend the liability
2 protections afforded by Act 170 until June 30, 2021.

3 SECTION 2. Act 170, Session Laws of Hawaii 2002, as
4 amended by section 4 of Act 152, Session Laws of Hawaii 2007, as
5 amended by section 2 of Act 81, Session Laws of Hawaii 2009, as
6 amended by section 1 of Act 98, Session Laws of Hawaii 2014, is
7 amended by amending section 5 to read as follows:

8 "SECTION 5. This Act shall take effect upon its approval;
9 provided that section 1 of this Act shall be repealed on
10 June 30, [~~2017-~~] 2021."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on January 7, 2059.

14



Report Title:

County Lifeguards; Immunity

Description:

Extends Act 170, SLH 2002, as amended, which provides limited liability protection for county lifeguards and counties providing lifeguard services on beaches or in the ocean, until 6/30/2021. Takes effect 1/7/2059. (SD1)

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