

JAN 19 2018

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# A BILL FOR AN ACT

RELATING TO COUNTY LIFEGUARD LIABILITY.

**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-       Exception to liability for county lifeguard  
5 services. (a) For the purpose of this section:

6       "County lifeguard" means a person employed as a lifeguard  
7 by a county of the State.

8       "Employing county" means the county employing a county  
9 lifeguard.

10       (b) Notwithstanding any other law to the contrary, a  
11 county lifeguard, the employing county, and the State shall not  
12 be liable for any civil damages resulting from any act or  
13 omission of the lifeguard while providing rescue, resuscitative,  
14 or other lifeguard services on the beach or in the ocean in the  
15 scope of employment as a county lifeguard. This exception from  
16 liability shall not apply when the claim for civil damages



1 results from a county lifeguard's gross negligence or wanton act  
2 or omission."

3 SECTION 2. New statutory material is underscored.

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

5

INTRODUCED BY:

*[Signature]*  
By Request



# S.B. NO. 2138

**Report Title:**

County Lifeguards; Limited Liability; State and Counties

**Description:**

Provides limited liability for acts or omissions by county lifeguards for the lifeguards, employing counties, and the State, except for damages resulting from a lifeguard's gross negligence or wanton act or omission.

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

