

JAN 19 2018

# A BILL FOR AN ACT

RELATING TO STATE AND COUNTY TORT LIABILITY.

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

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

"§663- Exception to liability for county lifeguard services. (a) For the purpose of this section:

"County lifeguard" means a person employed as a lifeguard by a county of this State.

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

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



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

3 SECTION 2. New statutory material is underscored.

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

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# S.B. NO. 2227

**Report Title:**

Lifeguard Services; Immunity from Liability

**Description:**

Provides the State, counties, and county lifeguards immunity from liability against damages arising from the acts or omissions of lifeguards while performing emergency lifeguard services.

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

