

STAND. COM. REP. NO.

1193

Honolulu, Hawaii

MAR 23 , 2021

RE: H.C.R. No. 71
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Pandemic & Disaster Preparedness, to which was referred H.C.R. No. 71 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON BUSINESS LIABILITY PROTECTIONS RELATED TO COVID-19-RELATED CLAIMS,"

begs leave to report as follows:

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study on business liability protections related to COVID-19 related claims.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Retail Merchants of Hawaii, and Maui Chamber of Commerce. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the COVID-19 pandemic had a significant impact on the State's public health and economy. To address the COVID-19 pandemic, governments around the world have issued emergency proclamations and orders and placed restrictions on businesses to mitigate the spread of COVID-19. Your Committee further finds that there is currently a national debate over the need for business liability protection from COVID-19 related lawsuits. Your Committee believes that the current COVID-19 legal landscape and options related to liability protections for

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businesses remain unclear and a study should be done to help the State make an informed decision regarding this matter.

Your Committee notes the testimony from the Legislative Reference Bureau regarding their concern that the scope of the study may be outside of their expertise as they do not have expertise relating to business liability protections. Your Committee further notes that although the Legislative Reference Bureau expressed concerns about the lack of specificity regarding the types of business this study would cover, your Committee believes that narrowing the scope of the study and leaving the interpretation of the types of businesses covered under the study broad will allow for a more focused study, while still covering important businesses.

Your Committee has amended this measure accordingly by:

- (1) Narrowing the scope of the study; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 71, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 71, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Pandemic &
Disaster Preparedness,


LINDA ICHIYAMA, Chair



