

---

---

## A BILL FOR AN ACT

RELATING TO CONSTRUCTION.

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

1           SECTION 1. The legislature finds that the rising cost of  
2 insurance contributes substantially toward the soaring costs of  
3 housing in Hawaii. Section 657-8, Hawaii Revised Statutes,  
4 requires developers or improvers of real property to insure  
5 against deficiencies of such improvements for ten years. The  
6 insurance costs for this ten-year period are being passed on to  
7 the purchasers of that real property, significantly driving up  
8 costs.

9           Therefore, the purpose of this Act is to limit to six years  
10 the period of time to commence an action to recover damages  
11 based on construction to improve real property.

12           SECTION 2. Section 657-8, Hawaii Revised Statutes, is  
13 amended by amending subsection (a) to read as follows:

14           "(a) No action to recover damages for any injury to  
15 property, real or personal, or for bodily injury or wrongful  
16 death, arising out of any deficiency or neglect in the planning,  
17 design, construction, supervision, and administering of



# H.B. NO. 1635

1 construction, and observation of construction relating to an  
2 improvement to real property shall be commenced more than two  
3 years after the cause of action has accrued, but in any event  
4 not more than [~~ten~~] six years after the date of completion of  
5 the improvement."

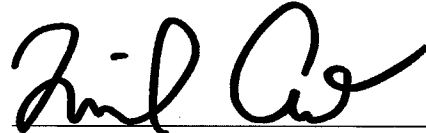
6 SECTION 3. This Act does not affect rights and duties that  
7 matured, penalties that were incurred, and proceedings that were  
8 begun before its effective date.

9 SECTION 4. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

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

12

INTRODUCED BY:



JAN 16 2024



# H.B. NO. 1635

**Report Title:**

Action to Recover Damages; Limitation of Action; Construction to Improve Real Property

**Description:**

Limits to six years the period of time to commence an action to recover damages based on construction to improve real property.

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

