
A BILL FOR AN ACT

RELATING TO COUNTIES.

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

1 SECTION 1. Section 46-72, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§46-72 Liability for damages; notice of injuries.** Before
4 the county shall be liable for damages to any person for
5 injuries to person or property received upon any of the streets,
6 avenues, alleys, sidewalks, or other public places of the
7 county, or on account of any negligence of any official or
8 employee of the county, the person [~~se~~] injured, or the owner or
9 person entitled to the possession, occupation, or use of the
10 property [~~se~~] injured, or someone [~~in~~] on the person's behalf,
11 shall [~~, within six months after the injuries are received,~~]
12 within two years after the injuries occurred, give the
13 individual identified in the respective county's charter, or if
14 none is specified, then the chairperson of the council of the
15 county or the [~~city~~] clerk of [~~Honolulu~~] the county in which the
16 injuries occurred, notice in writing of the injuries and the
17 specific damages resulting, stating fully [~~in the notice~~] when,



1 where, and how the injuries occurred, the extent [~~thereof,~~] of
2 the injuries, and the amount claimed [~~therefor~~]."

3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun, before its effective date.

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on January 1, 2050.



Report Title:

Torts; Counties, Notice of Claim

Description:

Extends statute of limitation for actions against a county for damage or injury from 6 months to 2 years. Permits the counties to identify, by charter, the person to whom claimant should give notice of claim for injuries or damage sustained on public property or as a result of the negligence of county official or employee. (H.B. No. 124, H.D.1)

