

Hawaii law uses the term "act of God" in statutes and case law, though it's most often discussed in relation to contracts and defenses against liability. For example, Hawaii Revised Statutes (HRS) Article 7 section 13 and the definition of "other disaster relief" in [HB2663](#) include "act of God" to define natural disasters. Hawaii's case law, like the case of *Medeiros v. Honomu Sugar Co.*, clarifies that this defense is not available if human negligence contributed to the harm. [[1](#), [2](#), [3](#), [4](#)]

### Legal use of "act of God" in Hawaii

- **Statutory definition:** The term is used in the legal definition of "other disaster relief" in Hawaii House Bill 2663. The law defines this as "functions, other than functions for which military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters caused by... acts of God or major accidents caused by acts of man".
- **Contract law:** An "act of God" is often used in contractual agreements, particularly within **force majeure clauses**. These clauses address what happens if a contract cannot be fulfilled due to unforeseen, uncontrollable natural events, like a hurricane or earthquake.
- **Case law:** The "act of God" defense is discussed in case law to determine when a party can be relieved of liability. In *Medeiros v. Honomu Sugar Co.*, the Hawaii Supreme Court ruled that this defense is not valid if the event could have been prevented by reasonable care on the part of the defendant. The court found that the sugar plantation was negligent in not properly caring for a tree that later fell on a passerby, so the "act of God" defense was not available. [[1](#), [2](#), [3](#)]

### Summary

Hawaii law references "act of God" in statutes like HB2663 to define natural disasters, and courts use the term in the context of liability defenses. However, the defense is limited, as it cannot be used when human negligence played a role in the harm, as established in *\*Medeiros v. Honomu Sugar Co.\**. [[1](#), [2](#)]

*AI responses may include mistakes.*

[1] [https://data.capitol.hawaii.gov/sessions/session2008/bills/HB2663\\_.htm](https://data.capitol.hawaii.gov/sessions/session2008/bills/HB2663_.htm)

[2] <https://www.insurancelawhawaii.com/2011/06/does-act-of-god-defense-absolve-boat-harbor-of-liability-for-tsunami-related-damage.html>

[3] <https://www.legalfix.com/topics/contracts/act-of-god/hi>

[4] [https://www.law.cornell.edu/wex/act\\_of\\_god](https://www.law.cornell.edu/wex/act_of_god)