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# A BILL FOR AN ACT

RELATING TO EVICTION RECORDS.

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

1           SECTION 1. The legislature finds that evictions are costly  
2 and disruptive for landlords and residential tenants and may  
3 also have severe and long-lasting impacts on residential  
4 tenants. Once evicted, tenants must find a new residence, pay  
5 moving expenses, suffer damage to their credit scores, and bear  
6 other costs, such as rental application fees and security  
7 deposits, and even costs borne by the landlord during the  
8 eviction process.

9           The legislature further finds that the simple filing of  
10 eviction proceedings against a residential tenant, even when  
11 those proceedings are meritless, can create a long-term barrier  
12 to access housing because eviction records are created the  
13 moment a landlord files a complaint with the court. Thus, even  
14 if the court does not find for the landlord or the landlord  
15 withdraws the complaint, the eviction filing remains on the  
16 tenant's record. Companies that screen residential tenants  
17 collect and sell this information and the companies' data



1 collection methods typically include any person named as a  
2 defendant in an eviction proceeding. Landlords screen against  
3 prospective residential tenants who have had any eviction action  
4 initiated against them without regard to outcome. This process  
5 disempowers residential tenants who may have legitimate disputes  
6 with their landlords because eviction filings can be used to  
7 pressure tenants to vacate a residence.

8 Accordingly, the purpose of this Act is to:

- 9 (1) Require the judiciary to conduct a study of its  
10 ability and best approaches to disassociate certain  
11 parties from eviction cases and the various issues and  
12 potential impacts of requiring the court to  
13 disassociate a residential tenant from an eviction  
14 proceeding brought by a landlord in certain  
15 circumstances;
- 16 (2) Submit a report to the legislature twenty days prior  
17 to the convening of the regular session of 2026; and
- 18 (3) Appropriate funds.

19 SECTION 2. (a) The judiciary shall conduct a study of its  
20 ability and best approaches to disassociate a residential tenant  
21 from an eviction proceeding brought by a landlord as provided



1 herein, and the various issues and impacts that could result  
2 from the disassociations. The study shall include:

3 (1) The possibility of implementing a feature that would  
4 require the judiciary to, within a reasonable amount  
5 of time, disassociate a residential tenant from a  
6 legal proceeding brought by a landlord to evict the  
7 tenant if:

8 (A) The final resolution of an eviction proceeding  
9 does not result in a judgment or possession in  
10 favor of the landlord, including instances in  
11 which a case was dismissed for any reason;

12 (B) All parties agree to the disassociation,  
13 regardless of the final disposition of the claim;  
14 or

15 (C) Upon motion by the tenant if the tenant  
16 demonstrates by a preponderance of the evidence  
17 that:

18 (i) The judgment in favor of the landlord is for  
19 an amount of \$500 or less;

20 (ii) The residential tenant was evicted from a  
21 unit under any low-income federal housing



- 1 choice voucher program or state low-income  
2 rent supplement program;
- 3 (iii) The landlord brought an action for summary  
4 possession in violation of federal law  
5 following an incident pertaining to domestic  
6 violence, dating violence, sexual assault,  
7 or stalking;
- 8 (iv) The landlord committed a discriminatory  
9 practice under chapter 515, Hawaii Revised  
10 Statutes, against the residential tenant and  
11 sought to recover possession of the rented  
12 premises in response to the residential  
13 tenant filing a complaint against unlawful  
14 discrimination with the civil rights  
15 commission;
- 16 (v) The landlord violated section 521-39, 521-  
17 74(a), or 521-74.5, Hawaii Revised Statutes;
- 18 (vi) The parties entered into a settlement  
19 agreement that did not result in the  
20 landlord recovering possession of the rented  
21 premises; or





1 (c) For the purposes of this section, "disassociate" means  
2 to remove a residential tenant's name from the judiciary's  
3 publicly accessible electronic databases to ensure that the  
4 legal proceeding cannot be accessed online by the tenant's name.

5 SECTION 3. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$ or so  
7 much thereof as may be necessary for fiscal year 2025-2026 for  
8 the judiciary to conduct a study pursuant to section 2 of this  
9 Act.

10 The sum appropriated shall be expended by the judiciary for  
11 the purposes of this Act.

12 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Judiciary; Eviction Records; Disassociations; Study; Report;  
Appropriation

**Description:**

Requires the Judiciary to conduct a study to determine the ability, best approaches, various issues, and potential impacts of requiring courts to disassociate a residential tenant from an eviction proceeding brought by a landlord in certain circumstances. Requires a report to the Legislature. Appropriates funds. Effective 7/1/3000. (SD1)

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

