

STAND. COM. REP. NO.

901

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 109
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 109, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE,"

begs leave to report as follows:

The purpose and intent of this measure is to require that the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and meets certain criteria.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that at the Constitutional Convention of Hawai'i of 1978, the Committee on Hawaiian Affairs proposed the constitutional amendment that is now enshrined in article XV, section 4, of the Hawaii State Constitution, which establishes Hawaiian as an official language of the State. The Committee felt it necessary to include this amendment in the Constitution "to give full recognition and honor the rich cultural inheritance that



Hawaiians have given to all ethnic groups of the State". This measure will further honor the cultural and historical significance of 'ōlelo Hawai'i and preserve the intent of those who drafted laws during the Kingdom of Hawai'i, the territorial era, and beyond.

Your Committee notes that adding similar language to this measure providing that the Hawaiian version of a law originally drafted in English that has been amended, codified, recodified, or enacted in Hawaiian shall be binding will uphold the status of 'ōlelo Hawai'i as a co-official language and ensure that the intent of the legislators at the time that a law was most recently adopted, whether it be adopted in English or Hawaiian, is not lost due to translation.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language providing that the Hawaiian version of a law originally drafted in English that has been amended, codified, recodified, or enacted in Hawaiian shall be binding; and
- (2) Amending section 1 to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 109, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 109, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



