

STAND. COM. REP. NO.

285

Honolulu, Hawaii

FEB 12 2025

RE: S.B. No. 1451
S.D. 1

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

Sir:

Your Committee on Public Safety and Military Affairs, to which was referred S.B. No. 1451 entitled:

"A BILL FOR AN ACT RELATING TO CRITICAL INFRASTRUCTURE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Enhance sharing of critical infrastructure information between infrastructure owners and operators and the state government;
- (2) Define and protect "critical infrastructure information" that is crucial for direct support of the security and resilience of the State; and
- (3) Provide homeland security partners with reassurance that their proprietary information provided to the state government will be protected from disclosure.

Your Committee received testimony in support of this measure from the Office of Information Practices and Department of Law Enforcement.

Your Committee received testimony in opposition to this measure from the Public First Law Center.



Your Committee finds that protecting the State's critical infrastructure is essential to maintaining the safety of the community and the functionality of governmental operations. The retention and assured protection of critical infrastructure information is crucial for the Office of Homeland Security in supporting the security and resilience of the State.

However, your Committee acknowledges testimony provided at the public hearing on this measure that raised concerns regarding appropriately striking the balance between protecting sensitive critical infrastructure information and upholding the duty of disclosure of certain information to the public. Your Committee finds that it is necessary to continue the discussion on this issue with relevant stakeholders and the public to best effectuate the security of the State while promoting transparency.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that "critical infrastructure information" means information provided by private entities that is not customarily in the public domain and that, if disclosed, would reveal vulnerabilities in critical infrastructure that, if exploited, would likely result in the significant disruption, destruction, or damage of or to operations, property, or facilities;
- (2) Inserting an effective date of July 1, 2077, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1451, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1451, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Public Safety and
Military Affairs,



BRANDON J.C. ELEFANTE, Chair



