
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 tenants.
4 Once evicted, tenants are often required to secure a new
5 residence, incur moving expenses, experience damage to their
6 credit scores, and bear other financial burdens, including
7 rental application fees and security deposits, as well as costs
8 incurred by landlords during the eviction process.

9 The legislature further finds that the mere filing of an
10 eviction action against a residential tenant, regardless of
11 merit, can create a long-term barrier to access to housing.
12 Eviction records are created at the time a landlord files a
13 complaint with the court, and even when a landlord does not
14 prevail or withdraws the action, the eviction filing remains
15 publicly accessible. Companies engaged in tenant screening
16 collect and sell this information, and landlords often rely on
17 these records when evaluating rental applicants, typically



1 without regard to the outcome of the case. As a result,
2 residential tenants may face housing denials based solely on the
3 filing of an eviction action, which can also be used as leverage
4 to pressure tenants to vacate a dwelling even when they have
5 legitimate defenses or disputes.

6 The purpose of this Act is to reduce unnecessary and
7 harmful barriers to housing stability by limiting public access
8 to summary possession court records unless and until a writ of
9 possession is issued.

10 SECTION 2. Section 604-6, Hawaii Revised Statutes, is
11 amended to read as follows:

12 **"§604-6 Ejectment proceedings.** (a) Nothing in section
13 604-5 shall preclude a district court from taking jurisdiction
14 in ejectment proceedings where the title to real estate does not
15 come in question at the trial of the action.

16 (b) If the defendant is defaulted or if on the trial it is
17 proved that the plaintiff is entitled to the possession of the
18 premises, the court shall give judgment for the plaintiff and
19 shall issue a writ of possession. The rules of court shall
20 govern the stay of a writ of possession.



1 (c) Beginning _____, from the commencement of a
2 summary possession proceeding until such time as a writ of
3 possession is issued, the court shall not make available on the
4 judiciary's publicly accessible electronic databases any
5 judiciary files or other information pertaining to the action.

6 If a writ of possession is issued in the action, the court
7 shall make available on the judiciary's publicly accessible
8 electronic databases its files and other information pertaining
9 to the summary possession proceeding."

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY: _____


JAN 26 2026

H.B. NO. 2227

Report Title:

Judiciary; Summary Possession Proceedings; Eviction Records; Public Access

Description:

Limits public access to summary possession records on the Judiciary's publicly accessible electronic databases unless and until a writ of possession is issued.

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