

---

---

# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1           SECTION 1. Section 121-30, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§121-30 Order to active service.** (a) In case of war,  
4 insurrection, invasion, riot, or imminent danger thereof; an  
5 emergency or disaster; or danger from flood, fire, storm,  
6 earthquake, civil disturbances, or terrorist events; any  
7 forcible obstruction to the execution of the laws, or reasonable  
8 apprehension thereof; or for assistance to civil authorities in  
9 disaster relief or emergency management, the governor may order  
10 the national guard or other component of the militia or any part  
11 thereof into active service. The governor, or the governor's  
12 designated representative, may also order the national guard  
13 into active service:

14           (1) In nonemergency situations for duty and training in  
15           addition to the drill and instruction required by  
16           section 121-28;



1 (2) To provide support to other states in response to a  
2 request for assistance under the Emergency Management  
3 Assistance Compact under chapter 127F; and

4 (3) To detect, prevent, prepare for, investigate, respond  
5 to, or recover from any of the events for which an  
6 order to active service may be made.

7 (b) Except as required by federal or state law, the  
8 commanding officer of any unit of the armed forces of this State  
9 called into active service pursuant to state law or title 32  
10 United States Code shall not assist or cooperate with, or allow  
11 time, money, facilities, property, equipment, personnel, data,  
12 or any other resources to be used to assist, cooperate with, or  
13 facilitate an operation by:

14 (1) A national guard unit of another state that is  
15 deployed in this State if the governor has objected to  
16 the deployment; or

17 (2) Federal troops or law enforcement deployed to this  
18 State if the governor has objected to the deployment.

19 (c) The governor's objection required pursuant to  
20 subsection (b) (1) and (2) shall:



- 1        (1) Be made by a written determination signed by the
- 2                governor;
- 3        (2) Specify the deployment request, operation, or activity
- 4                to which the objection applies;
- 5        (3) State the factual basis for the objection;
- 6        (4) Specify the geographic scope of the objection;
- 7        (5) Specify the effective date, time, and duration of the
- 8                objection;
- 9        (6) Be provided to the adjutant general, director of the
- 10                Hawaii emergency management agency, and attorney
- 11                general; and
- 12        (7) Be maintained as a public record; provided that any
- 13                information required to be confidential under state or
- 14                federal law shall not be made public."

15        SECTION 2. New statutory material is underscored.

16        SECTION 3. This Act shall take effect on July 1, 2050.



S.B. NO. 2054  
S.D. 2

**Report Title:**

Hawaii National Guard; Deployment; Federal Law Enforcement;  
Collaboration

**Description:**

Prohibits the Hawaii National Guard from deploying to assist federal troops, federal law enforcement, or the national guard of any other state operating in Hawaii when the Governor has objected to the deployments. Effective 7/1/2050. (SD2)

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

