

JAN 21 2026

A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

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

SECTION 1. Chapter 139, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§139- Unlawful agreements; prohibited. (a) No law enforcement agency or law enforcement officer shall enter or seek to enter into an agreement with any federal or out-of-state law enforcement, including agreements through the Homeland Security Task Force, Joint Terrorism Task Force, and state fusion center, to engage in activities that include sharing personal information or aiding with surveillance, investigations, prosecutions, or immigration enforcement operations if these activities would:

- (1) Violate the individual's liberties and rights guaranteed under the United States Constitution or Hawaii State Constitution;



1 (2) Constitute racial profiling, unlawful surveillance or
2 investigation, excessive use of force, or unlawful
3 detention;

4 (3) Identify or seek to identify, apprehend, arrest, or
5 impose any other civil or criminal penalty for:

6 (A) Activities protected by the First Amendment to
7 the United States Constitution, including rights
8 to free speech and press, peaceable assembly, and
9 petition the government for a redress of
10 grievances;

11 (B) The provision of humanitarian or legal
12 assistance, or any other aid that is lawful in
13 this State;

14 (C) Offenses related to immigration status, including
15 violations of title 8 United States Code; or

16 (D) Nonfederal misdemeanors and violations, including
17 motor vehicle offenses;

18 (4) Subject individuals to immigration detention, removal,
19 or deportation proceedings; or

20 (5) Result in requests to obtain data from a state agency,
21 conduct surveillance, or investigate pursuant to the



1 objectives of National Security Presidential

2 Memorandum-7 of September 25, 2025.

3 (b) Law enforcement agencies shall obtain written
4 authorization from the state attorney general certifying that
5 any existing agreements comply with this section. Any
6 agreements that do not receive authorization from the state
7 attorney general shall be amended or terminated.

8 (c) Law enforcement agencies shall obtain written
9 authorization from the state attorney general certifying that
10 any new agreements comply with this section."

11 SECTION 2. New statutory material is underscored.

12 SECTION 3. This Act shall take effect upon its approval.

13
INTRODUCED BY: 



S.B. NO. 2056

Report Title:

Individual Liberties; Law Enforcement Agencies; Prohibited Agreements

Description:

Prohibits law enforcement agencies from forming certain agreements with federal or out-of-state law enforcement agencies.

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

