

JAN 21 2026

A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

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

1 SECTION 1. The legislature finds that requiring law
2 enforcement officers to be identifiable is fundamental to
3 democratic values and promotes transparency and accountability
4 to the public those officers serve. However, federal agents
5 have recently begun using facial coverings during immigration
6 raids, which undermines public trust and leads the public to
7 question whether the officers are legitimate law enforcement
8 officers and not unlawful impersonators. Prohibiting the use of
9 face masks unless certain conditions are met will improve public
10 trust by drawing a sharp distinction between legitimate law
11 enforcement and the perception of secret police tactics used by
12 federal agents under the Trump administration.

13 Accordingly, the purpose of this Act is to establish the
14 offense of use of a mask or personal disguise by a law
15 enforcement officer.



SECTION 2. Chapter 710, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§710- Use of a mask or personal disguise by a law enforcement officer. (1) A person commits the offense of use of a mask or personal disguise by a law enforcement officer if the person:

(a) Is a law enforcement officer; and

(b) Wears a mask or personal disguise while interacting with the public in the performance of the law enforcement officer's duties.

(2) This section shall not apply to a law enforcement officer who:

(a) Is engaged in an undercover assignment; or

(b) Is operating a motorcycle; provided that the law enforcement officer shall remove the facial covering before and after operating the motorcycle.

(3) Use of a mask or personal disguise by a law enforcement officer shall be a misdemeanor.

(4) For the purposes of this section:

"Mask or personal disguise" shall not include:



- 1 (a) A medical grade mask that is surgical or an N95
- 2 respirator designed to prevent the transmission of
- 3 airborne diseases;
- 4 (b) Equipment necessary for weather or underwater
- 5 protection;
- 6 (c) A mask designed to protect against exposure to smoke
- 7 during a state of emergency related to a wildfire;
- 8 (d) Protective gear used by law enforcement officers
- 9 necessary to safely perform official duties as a
- 10 member of the specialized services division, a special
- 11 weapons and tactics team, or a special response team;
- 12 and
- 13 (e) A face shield if the face shield does not conceal the
- 14 wearer's face.

15 "Motorcycle" has the same meaning as defined in section
 16 291C-1."

17 SECTION 3. This Act does not affect rights and duties that
 18 matured, penalties that were incurred, and proceedings that were
 19 begun before its effective date.

20 SECTION 4. If any provision of this Act, or the
 21 application thereof to any person or circumstance, is held



1 invalid, the invalidity does not affect other provisions or
2 applications of the Act that can be given effect without the
3 invalid provision or application, and to this end the provisions
4 of this Act are severable.

5 SECTION 5. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.

7

INTRODUCED BY: *Stacy*



S.B. NO. 2203

Report Title:

Law Enforcement; Mask; Disguise; Prohibition; Criminal Offense;
Penal Code

Description:

Establishes the offense of use of a mask or personal disguise by
a law enforcement officer.

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

