

JAN 23 2026

A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

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

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

4 **"§139- State deputization; generalized policing.** (a) A
5 law enforcement officer may request assistance from a federal
6 law enforcement officer in the case of a law enforcement
7 emergency as defined in title 34 United States Code section
8 50102 or to prevent substantial risk of death or serious
9 physical injury to another person.

10 (b) Notwithstanding subsection (a), a state employee or
11 law enforcement officer shall not request assistance from a
12 federal law enforcement officer to enforce state laws, including
13 the following:

14 (1) Temporary or predetermined checkpoints or screenings;
15 and
16 (2) Motor vehicle stops.



1 (c) Nothing in this section shall prevent federal law
2 enforcement officers from making arrests without a warrant for a
3 criminal offense under state law.

4 (d) Any agreement between a law enforcement agency and
5 federal agency for the purpose of criminal law enforcement shall
6 be in writing, consistent with this section. No agreement shall
7 provide for federal participation in state checkpoints or
8 screenings or motor vehicle stops. No agreement shall exceed
9 two years in duration and shall include training on state
10 constitutional and statutory civil rights protections for
11 federal law enforcement. All agreements made pursuant to this
12 subsection are subject to review by the department of the
13 attorney general.

14 (e) Nothing in this section shall be construed to prohibit
15 a law enforcement agency or law enforcement officer from making
16 a request for assistance from federal agencies in accordance
17 with the requirements of this chapter."

18 SECTION 2. New statutory material is underscored.

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

20

INTRODUCED BY: 



S.B. NO. 2716

Report Title:

Federal Law Enforcement; Generalized Policing; State Law Enforcement; Requests for Assistance

Description:

Prohibits a law enforcement officer and law enforcement agency from making certain requests for assistance from federal law enforcement agencies with exceptions. Establishes requirements and limitations for law enforcement agencies to enter into agreements with federal 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.

