

JAN 23 2026

A BILL FOR AN ACT

RELATING TO GUBERNATORIAL APPOINTMENTS.

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

1 SECTION 1. The legislature finds that Act 127, Session
2 Laws of Hawaii 2016, established a special action team on
3 affordable rental housing to recommend ways to increase the
4 supply of rental housing, particularly rental housing affordable
5 to low- and moderate-income families. The special action team
6 was required to produce a ten-year plan that inventoried
7 available housing parcels and assessed housing needs for persons
8 with low or no income, such as the disabled and functionally
9 challenged populations.

10 The legislature further finds that the legislature created
11 the ohana zones program in 2018 in response to emergency
12 proclamations from the governor that declared homelessness to be
13 a crisis. In addition, various temporary housing and shelter
14 initiatives were implemented or proposed by the State, the
15 counties, and nonprofit organizations, including ohana zones,
16 the kauhale initiative, and the homeless outreach and navigation
17 for unsheltered persons program. In 2021, the legislature



1 established the statewide office on homelessness and housing
2 solutions to determine the State's specific housing and
3 homelessness service needs and to create and lead a coordinated
4 statewide response to homelessness.

5 The legislature recognizes that, other than a ten-year plan
6 by the Hawaii interagency council on homelessness in 2022, the
7 statewide office on homelessness and housing solutions has not
8 itself created a plan to fulfill its statutory mission to
9 address homelessness in the State. The legislature also
10 recognizes that the January 2025 report from the statewide
11 office on homelessness and housing solutions was merely an
12 assembly of plans from other state and county agencies; the
13 statewide office on homelessness and housing solutions did not
14 present a coordinated statewide plan of its own. The
15 legislature is further concerned that the point-in-time count,
16 which is the main metric by which the State may assess whether
17 homelessness goals are being met, was canceled for the city and
18 county of Honolulu in 2025.

19 The legislature finds that the coordinator on homelessness,
20 who serves as the leader of the statewide office on homelessness
21 and housing solutions, was requested to create a plan that



1 delineates clear pathways to stable housing for different
2 demographic groups experiencing homelessness. These discrete
3 pathways are critical because different demographic groups may
4 face very different issues when seeking stable housing.
5 Therefore, the pathway to stable housing for individuals who are
6 functionally challenged will likely be different than the
7 pathways for kupuna, youth who have just aged out of foster
8 homes, and persons who were recently released from
9 incarceration.

10 The legislature is also concerned that the statewide office
11 on homelessness and housing solutions has appeared to be
12 disproportionately focused on the city and county of Honolulu.
13 For example, a recent budget request prioritized \$8,000,000 for
14 the city and county of Honolulu's homeless outreach and
15 navigation for unsheltered persons program over other counties'
16 requests. This request seemingly contradicted the conclusion of
17 the statewide office on homelessness and housing solutions' own
18 2025 report, which recognized that "diversion programs only work
19 to help end homelessness if there are places for people to
20 'transition' and 'divert' into." The budget request also failed
21 to consider the special action team on affordable rental



1 housing's 2018 report addressing the needs of persons with low
2 or no income.

3 The legislature concludes that it is critical that the
4 coordinator on homelessness and other high-level officials
5 within the executive branch be answerable to the needs of the
6 entire State. One way to promote accountability and to ensure
7 that these positions are filled by qualified individuals is to
8 require appointments to these positions to be subject to the
9 advice and consent of the senate.

10 Accordingly, the purpose of this Act is to:

11 (1) Require any person who is appointed by the governor to
12 serve in the executive branch in a position that is
13 not subject to the civil service law to obtain the
14 advice and consent of the senate if that person's
15 annual salary is greater than \$160,000 and is not paid
16 from the budget of the office of the governor; and
17 (2) Require persons who currently serve in positions that
18 are made subject to the advice and consent of the
19 senate by this Act to obtain the advice and consent of
20 the senate during the regular session of 2027.



1 SECTION 2. Chapter 26, Hawaii Revised Statutes, is amended
2 by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§26- Gubernatorial appointments; salaries; senate

5 confirmation. (a) Any person appointed by the governor to
6 serve in the executive branch shall obtain the advice and
7 consent of the senate if the person's annual salary:

8 (1) Is greater than \$160,000; and

9 (2) Is not paid from the budget of the office of the
10 governor.

11 (b) If a person who would be subject to senate
12 confirmation under this section is required to obtain the advice
13 and consent of the senate under any other law, the provisions of
14 that law shall supersede any conflicting provisions of this
15 section.

16 (c) As used in this section, "person appointed by the
17 governor to serve in the executive branch" means a person
18 appointed by the governor to serve in a salaried position in the
19 executive branch that is not subject to chapter 76."

20 SECTION 3. (a) No later than the forty-first day of the
21 regular session of 2027, the governor shall transmit governor's



1 messages to the senate president containing nominations for each
2 gubernatorial appointee who was appointed to their position
3 before the effective date of this Act and whose annual salary is
4 greater than \$160,000 and is not paid from the budget of the
5 office of the governor.

6 (b) No gubernatorial appointee nominated pursuant to
7 subsection (a) shall continue to serve in that person's position
8 after the adjournment sine die of the regular session of 2027
9 unless the person obtains the advice and consent of the senate.

10 SECTION 4. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

12

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "SENATOR MARK LENO". The signature is fluid and cursive, with a large, stylized "M" and "L".

S.B. NO. 2862

Report Title:

Gubernatorial Appointments; Salaries; Senate Confirmation; Advice and Consent

Description:

Requires any person appointed by the Governor to serve in the Executive Branch in a position that is not subject to the civil service law to obtain the advice and consent of the Senate if that person's salary is greater than \$160,000 and is not paid from the budget of the Office of the Governor. Requires persons currently serving in positions made subject to the advice and consent of the Senate by this Act to obtain the advice and consent of the Senate during the Regular Session of 2027.

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

