

STAND. COM. REP. NO. **3660**

Honolulu, Hawaii

**APR 09 2026**

RE: H.B. No. 1548  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1548, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Limit the maximum term of imprisonment for misdemeanors, or for offenses punishable by up to or not exceeding one year, to three hundred sixty-four days; and
- (2) Allow individuals previously sentenced to a one-year term of imprisonment to apply to the court for a sentence modification to conform to the new limit.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Office of Hawaiian Affairs, Hawai'i Coalition for Immigrant Rights, Community Alliance on Prisons, Imua Alliance, League of Women Voters of Hawaii, Kona Indivisible, Roots Reborn, ACLU Hawai'i, The Legal Clinic, and fourteen individuals.

Your Committee finds that under federal immigration law, a sentence of three hundred sixty-five days or more for certain misdemeanor offenses can result in the offense being classified as



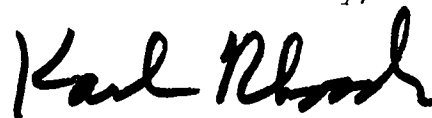
an "aggravated felony", making the defendant deportable or ineligible for relief, even when the underlying conduct is relatively minor. This measure adjusts the maximum misdemeanor sentences to three hundred sixty-four days to prevent low-level convictions from automatically triggering severe immigration penalties.

Your Committee has amended this measure by:

- (1) Excluding crimes of violence from the limit to the maximum term of imprisonment for misdemeanors, or for offenses punishable by up to or not exceeding one year, of three hundred sixty-four days;
- (2) Specifying that individuals previously sentenced to a one-year term of imprisonment may apply to the court for a sentence modification to conform to the new limit only if they were sentenced for a crime that was not a crime of violence;
- (3) Inserting a definition of "crime of violence";
- (4) Inserting an effective date of March 22, 2075, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1548, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1548, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



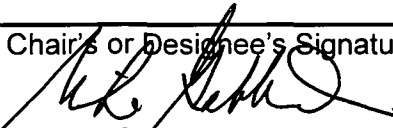
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KARL RHOADS, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1598 HD1	JDC	3/29/26		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	4	—	1	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original	Yellow	Pink		
File with Committee Report	Committee	Drafting Agency		

\*Only one measure per Record of Votes