STAND. COM. REP. NO. 1152 -26

Honolulu, Hawaii
MAR 06 , 2026

RE: H.B. No. 1961
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1961, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE,"

begs leave to report as follows:

The purpose of this measure is to:

(1) Prohibit persons from interfering with another person's access to or from a health care facility or disrupting the normal functioning of a health care facility;

(2) Make violations a petty misdemeanor;

(3) Establish a private right of action; and

(4) Authorize the Attorney General to bring an action for injunctive or other equitable relief.

Your Committee received testimony in support of this measure from the State Health Planning and Development Agency; Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission; Hawaii State Commission on the Status of Women; Hawai'i State Youth Commission; AAUW of Hawaii; Pride at Work-Hawai'i; Ha'aheo, 'Ohana, Kaulike, Ui Political Action Committee; Stonewall Caucus of the Democratic Party of Hawai'i; Indivisible Hawai'i Healthcare Team;

Visibility Brigade Honolulu; Indivisible Leeward Oahu; Hawai'i Primary Care Association; Planned Parenthood Alliance Advocate - Hawai'i; Healthcare Association of Hawaii; American College of Obstetricians and Gynecologists, Hawaii Section; Hawai'i Women Lawyers; Essential Access Health; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Family Forum and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that individuals seeking or providing health care services must be able to access health care facilities without obstruction, intimidation, or disruption, and that interference with such access raises significant public safety, privacy, and due process concerns. Your Committee further finds that existing law does not adequately address conduct that intentionally, knowingly, or recklessly interferes with access to health care facilities or disrupts their normal functioning, resulting in risks to patients, providers, employees, and property. Establishing clear statutory prohibitions, narrowly tailored to address conduct rather than lawful expression or labor activity, and providing appropriate civil and criminal remedies will assist in preventing harassment and ensure patients and providers can safely access health care services.

Your Committee has amended this measure by:

(1) Clarifying the definitions of "aggrieved party" and "health care facility" or "facility";

(2) Deleting language that would have exempted certain activities from the prohibition against interfering with a person's access to or from a health care facility or disrupting the facility's normal operations;

(3) Clarifying the necessary steps a court must take in a criminal or civil proceeding to safeguard privacy and specifying that such actions shall be undertaken only upon motion by an interested party;

(4) Clarifying that an aggrieved party may bring a civil action in either the district court or the circuit court of the jurisdiction in which the violation occurred; and

(5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1961, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1961, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

DAVID A. TARNAS, Chair

State of Hawaii
House of Representatives
The Thirty-third Legislature

HSCR 1152-26

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.:	Committee Referral:	Date:
HB 1961 HD1	HLT, JHA	2/24/2026

☐ The committee is reconsidering its previous decision on the measure.

The recommendation is to: ☐ Pass, unamended (as is) ☒ Pass, with amendments (HD) ☐ Hold
☐ Pass short form bill with HD to recommit for future public hearing (recommit)

JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au	✓			
4. COCHRAN, Elle	✓			
5. HASHEM, Mark J.				✓
6. KAHALOA, Kirstin	✓			
7. SAYAMA, Jackson D.	✓			
8. TAKAYAMA, Gregg	✓			
9. GARCIA, Diamond			W (N)	✓
10. SHIMIZU, Garner M.			✓	
TOTAL (10)	7	0	1	2

The recommendation is: ☒ Adopted ☐ Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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