

Honolulu, Hawaii

FEB 11 , 2026

RE: H.B. No. 2581
H.D. 1

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

Madame:

Your Committee on Public Safety, to which was referred H.B. No. 2581 entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT,"

begs leave to report as follows:

The purpose of this measure is to clarify that the emergency powers granted by chapter 127A, Hawaii Revised Statutes, to the Governor and county mayors are strictly limited to situations that involve responding to the sudden occurrence of disasters or emergencies of tremendous severity and destructiveness resulting from natural or human-caused hazards.

Your Committee received testimony in support of this measure from the Grassroot Institute of Hawaii and Earthjustice. Your Committee received testimony in opposition to this measure from the Hawai'i Emergency Management Agency. Your Committee received comments on this measure from the Kaua'i Emergency Management Agency.

Your Committee finds that it is necessary to reestablish the proper constitutional framework of checks and balances and separation of powers between the Legislature and the Executive Branch with respect to the enactment of laws to address important issues of public policy. Your Committee further finds that the decision of the Hawaii Supreme Court in *Nakoa III v. Governor of*




the State of Hawaii, 156 Hawaii 416, 575 P.3d 506 (2025), threatens to upset this vital constitutional balance. Accordingly, this measure is needed to preserve the separation of powers and avoid executive overreach.

Your Committee has amended this measure by:

- (1) Adding cyberterrorism to the definition of "disaster";
- (2) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2581, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2581, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,



DELLA AU BELATTI, Chair



HBCR 189-26

Bill/Resolution No.: HB2501		Committee Referral: PBS, JHA, FIN		Date: 2/6/2026	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
PBS Members		Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)		✓			
2. IWAMOTO, Kim Coco (VC)		✓			
3. HASHEM, Mark J.		✓			
4. ICHIYAMA, Linda		✓			
5. MORIKAWA, Dee		✓			
6. POEPOE, Mahina		✓			
7. WOODSON, Justin H.		✓			
8. SHIMIZU, Garner M.		✓			
9. SOUZA, Kanani		✓			
TOTAL (9)		9			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: _____					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					