

STAND. COM. REP. NO. **2114**

Honolulu, Hawaii

FEB 06 2026

RE: S.B. No. 2116
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 Labor and Technology, to which was referred S.B. No. 2116 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Attorney General to establish a confidential process for persons to anonymously file complaints against public employees;
- (2) Require the Attorney General to review and forward the complaints to the department, board, commission, or agency deemed appropriate by the Attorney General;
- (3) Require the departments, boards, commissions, and agencies to process the complaint pursuant to their standard complaint-processing procedures and report the disposition to the Attorney General; and
- (4) Require the Attorney General to adopt rules and submit annual reports to the Legislature.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, ASFCME



Local 152, AFL-CIO and United Public Workers, ASFCM Local 646, AFL-CIO.

Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations, Department of the Attorney General, and Libertarian Party of Hawaii.

Your Committee finds that individuals may experience circumstances in which they wish to make a complaint against a public employee but fear retaliation. Establishing a uniform and anonymous complaint process provides individuals with a secure process to submit their complaints while protecting complainants from retaliatory actions. The Attorney General is uniquely positioned to understand the legal implications of complaints against public employees and establish the rules necessary for an ethical and effective anonymous complaint process. Your Committee finds that this measure will improve accountability and functionality in public employment by establishing an anonymous complaint process in which the Attorney General serves as the intermediary.

Your Committee has amended this measure by:

- (1) Inserting language that requires each public employer and department to inform its employees that they should immediately notify law enforcement of any conduct or situation that poses an imminent danger or threat to the health or safety of any individual or workplace or the public;
- (2) Deleting language that would have required the Attorney General to immediately notify the appropriate department or other state or county agency if the Attorney General determines that a complaint poses an imminent danger or threat to the health or safety of any individual or workplace or the public;
- (3) Authorizing, rather than requiring, the Attorney General to adopt rules to implement this Act;
- (4) Inserting a blank appropriation amount;



- (5) Inserting an effective date of January 1, 2077, to encourage further discussion; and
- (6) 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2116, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor and
Technology,



BRANDON J.C. ELEFANTE, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes Committee on Labor and Technology LBT

*Only one measure per Record of Votes