

STAND. COM. REP. NO. **2121**-26

Honolulu, Hawaii

**APR 10**, 2026

RE: S.B. No. 2151  
S.D. 2  
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 S.B. No. 2151, S.D. 2, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify state and local authority during a state or local state of emergency;
- (2) Clarify and limit the suspension of laws and access to records during an emergency;
- (3) Define "severe weather warning";
- (4) Amend the definitions of "disaster" and "emergency" under emergency management laws; and
- (5) Allow the Legislature to terminate a state of emergency and county councils to terminate a local state of emergency.

Your Committee received testimony in support of this measure from one member of the Kaua'i County Council; one member of the

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Maui County Council; the League of Women Voters of Hawaii; Sierra Club of Hawai'i; Free Access Coalition; Kupuna for the Moopuna; Kauai Women's Caucus; Grassroot Institute of Hawaii; Public First Law Center; Earthjustice; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Emergency Management Agency; Hawai'i Christian Coalition; and four individuals. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that recent judicial interpretation of the use of emergency powers has raised concerns regarding the balance of authority between the legislative and executive branches during prolonged or non-discrete emergencies. The absence of clear statutory boundaries on emergency declarations, law suspensions, and duration of emergency powers may risk executive overreach and undermine constitutional principles of separation of powers. Your Committee further finds that this measure will help ensure that emergency powers remain narrowly tailored to address immediate threats while preserving democratic accountability.

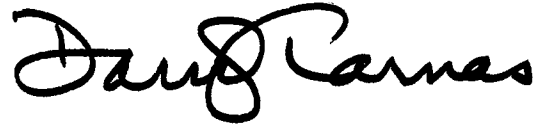
Your Committee has amended this measure by:

- (1) Clarifying that the prohibition on the suspension or denial of access to certain records under emergency management laws does not limit an agency's authority to deny access otherwise authorized by law;
- (2) Clarifying limitations on emergency powers of the governor and mayors; and
- (3) 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 S.B. No. 2151, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2151, S.D. 2, H.D. 2.



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



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DAVID A. TARNAS, Chair



