CONFERENCE COMMITTEE REP. NO. 14 -26

Honolulu, Hawaii
APR 29 , 2026

RE: S.B. No. 3073
S.D. 1
H.D. 1
C.D. 1

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

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

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 3073, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE RETENTION OF BIOLOGICAL EVIDENCE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

(1) Specify the types of cases in which evidence must be retained post-conviction and the process by which evidence may be disposed of earlier than the standard period of retention, which includes a procedure for defendants to oppose the disposal of biological evidence by filing an objection with the court; and

(2) Provide that upon the court's own motion, the court may order retention of biological evidence in any felony case for a certain period under certain circumstances.

Your Committee on Conference finds that broad requirements for the retention of biological evidence have created storage problems statewide. This measure will establish reasonable guidelines and limitations for the retention of biological evidence to free up storage space at government evidence storage facilities.

Your Committee on Conference has amended this measure by:

(1) Specifying that a court may order the retention of biological evidence in a felony case under the circumstances if the court finds, based on the record, that biological evidence:

(A) Exists or was collected in the case; and

(B) Could reasonably be material to establishing or disproving the identity of the perpetrator; and

(2) Making it effective on September 1, 2026.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3073, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3073, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

DAVID A. TARNAS
Chair

ON THE PART OF THE SENATE

KARL RHOADS
Chair

Hawai'i State Legislature

CCR 14-26

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: **SB 3073, SD 1, HD 1**	Date/Time: 4/23/26; 2:46 pm

☒ The recommendation of the House and Senate managers is to pass with amendments (CD).

☐ The Committee is reconsidering its previous decision.

☐ The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

☐ The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓			
GABBARD, Mike	✓			
AWA, Brenton	✓			
TOTAL	3	0	0	0

House Managers	A	WR	N	E
TARNAS, David A., Chr.	✓			
BELATTI, Della Au	✓			
POEPOE, Mahina	✓			
SHIMIZU, Garner M.	✓			
TOTAL	4	0	0	0

A = Aye **WR** = Aye with Reservations **N** = Nay **E** = Excused

Senate Recommendation is: ☒ Adopted ☐ Not Adopted

House Recommendation is: ☒ Adopted ☐ Not Adopted

Senate Lead Chair's or Designee's Signature: Karl Rhoads

House Lead Chair's or Designee's Signature: David Tarnas

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