CONFERENCE COMMITTEE REP. NO. 224-26

Honolulu, Hawaii

MAY 01 2026

RE: S.B. No. 3137
S.D. 1
H.D. 2
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. 3137, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH'S AUTHORITY TO REGULATE FOOD, DRUGS, AND COSMETICS,"

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) Remove duplicative food-related statutory material and align all food-related provisions under chapter 328, Hawaii Revised Statutes (HRS);

(2) Ensure adequate statutory authority for permits, fees, inspections, and enforcement;

(3) On June 30, 2027, repeal the Sanitation and Environmental Health Special Fund and transfer any unexpended or

unencumbered balance to the newly established Food Safety and Environmental Health Special Fund; and

(4) Make conforming amendments to provisions of the HRS.

Your Committee on Conference finds that presently, the Department of Health is required to implement programs to ensure that all food, drugs, cosmetics, and other related consumer products are safe under both chapter 321, HRS, governing "Health", and chapter 328, HRS, governing "Food, Drugs and Cosmetics". Your Committee on Conference further finds that the Department's Food and Drug Branch, which is responsible for regulating manufactured foods, and the Department's Food Safety Branch, which is responsible for regulating retail food establishments, have adopted separate administrative rules, resulting in a lack of regulatory alignment. This measure reduces ambiguity and regulatory overlap, promotes local business development, and improves food safety by consolidating regulatory mandates for the regulation of food, drugs, and cosmetics.

Your Committee on Conference has amended this measure by:

(1) Making it effective upon its approval; and

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

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. 3137, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3137, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

of the managers:

ON THE PART OF THE HOUSE

GREGG TAKAYAMA
Co-Chair

SCOT Z. MATAYOSHI
Co-Chair

SUE L. KEOHOKAPU-LEE LOY
Co-Chair

ON THE PART OF THE SENATE

JOY A. SAN BUENAVENTURA
Chair

ANGUS L.K. MCKELVEY
Co-Chair

DRU KANUHA
Co-Chair

Hawai'i State Legislature

Record of Votes of a Conference Committee

CCR 224-26

Bill / Concurrent Resolution No.:	Date/Time:
SB 3137, SD 1, HD 2	5/1/26 4:40 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
SAN BUENAVENTURA, Joy A., Chr.	✓			
MCKELVEY, Angus L.K., Co-Chr.				✓
KANUHA, Dru Mamo, Co-Chr.	✓			
TOTAL	2	0	0	1

House Managers	A	WR	N	E
TAKAYAMA, Gregg, Co-Chr.	✓			
MATAYOSHI, Scot Z., Co-Chr.	✓			
KEOHOKAPU-LEE LOY, Sue L., Co-Chr.	✓			
ALCOS III, David	✓			
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:

House Lead Chair's or Designee's Signature:

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