STAND. COM. REP. NO. 3090

Honolulu, Hawaii

MAR 0 6 2026

RE: S.B. No. 3142
S.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3142, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DANGEROUS INTOXICATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

(1) Establish the offenses of dangerous intoxication and habitual dangerous intoxication;

(2) Provide for civil protective custody and transport for emergency examination under section 334-45, Hawaii Revised Statutes, in lieu of arrest for dangerous intoxication in specified circumstances, and bar prosecution when civil protective custody is used;

(3) Require probation with mandatory treatment for habitual dangerous intoxication, with incarceration only upon probation violation; and

(4) Make conforming amendments to chapter 334, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Office of the Governor; Department of the Attorney General; Department of Corrections and Rehabilitation; Department

of Health; Department of Human Services; Department of Law Enforcement; Office of Wellness and Resilience; Hawai'i Psychological Association; and The Institute for Human Services, Inc.

Your Committee received testimony in opposition to this measure from the ACLU of Hawai'i.

Your Committee received comments on this measure from The Queen's Health Systems and Hawaii Medical Association.

Your Committee finds that the creation of a clearly defined offense of dangerous intoxication provides law enforcement officers with greater clarity when responding to situations where individuals, due to intoxication, pose a risk to themselves or others in public spaces. Your Committee further finds that many of these situations involve behavioral health or substance use issues that may be better addressed through medical evaluation and treatment rather than immediate criminal prosecution. This measure addresses dangerous intoxication through a balanced approach that promotes both public safety and access to treatment.

Your Committee has amended this measure by 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3142, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3142, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3142 SD1	HHS, JDC	3/5/26

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only <u>one</u> measure per Record of Votes

Revised: 01/02/26