STAND. COM. REP. NO. 2035-26

Honolulu, Hawaii

APR 09, 2026

RE: S.B. No. 3322
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. 3322, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT,"

begs leave to report as follows:

The purpose of this measure is to:

(1) By July 1, 2027, require each law enforcement agency operating in the State to establish and publicly post a written policy regarding:

(A) The use of facial coverings, visibility of badges, and conspicuous marking of law enforcement vehicles; and

(B) Civil immigration enforcement, including procedures governing a law enforcement officer's authority to make an inquiry into a person's civil immigration status;

(2) Prohibit law enforcement officers from initiating or prolonging a stop, detention, or arrest to determine a person's civil immigration status, with certain exemptions for reasonable suspicion;

(3) Establish as a policy of the Department of Law Enforcement that civil immigration activity involving state or county participation or facilities shall only proceed under certain conditions; and

(4) Establish criminal offenses for improper facial coverings and unauthorized civil immigration interrogation, arrest, or detention.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Office of the Public Defender; Pacific Gateway Center; UNITE HERE Local 5; Hawai'i Coalition for Immigrant Rights; Community Alliance on Prisons; Imua Alliance; The Legal Clinic; Roots Reborn; El Pueblo en Acción; Fujiwara & Rosenbaum, LLLC; American Civil Liberties Union of Hawai'i; Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i Public Health Institute; Pride at Work-Hawai'i; and numerous individuals. Your Committee received comments on this measure from the Hawai'i Police Department and State of Hawai'i Organization of Police Officers.

Your Committee finds that Hawaii's diverse immigrant communities face heightened fear and confusion when state or county resources appear intertwined with federal civil immigration enforcement, which can erode public trust and discourage residents from seeking essential services or assistance. Your Committee further finds that inconsistent practices among law enforcement agencies regarding inquiries into civil immigration status have created uncertainty for officers and the public, increasing the risk of unconstitutional actions and unnecessary escalation during encounters. Your Committee believes that establishing statewide limits, safeguards, and transparent policies regarding civil immigration enforcement will promote due process, strengthen community trust in law enforcement, and provide clear guidance that protects public safety and civil rights.

Your Committee also finds that the companion to this measure, H.B. No. 2540, H.D. 2 (Regular Session of 2026), was previously passed by the House.

Your Committee has amended this measure by:

(1) Deleting its contents and inserting the contents of H.B. No. 2540, H.D. 2, a measure that:

(A) Establishes provisions limiting state and federal collaboration for purposes of immigration enforcement operations;

(B) Requires state and county law enforcement agencies to establish and publicly post written policies regarding civil immigration enforcement;

(C) Prohibits law enforcement officers from initiating or prolonging a stop, detention, or arrest of a person for the purpose of determining the person's civil immigration status, except under certain circumstances;

(D) Establishes as a policy of the Department of Law Enforcement that civil immigration activity involving state or county participation or facilities shall only proceed under certain conditions;

(E) Prohibits state and county involvement in civil immigration enforcement activity in certain locations; and

(F) Requires the Department of Law Enforcement to assist state and county agencies in maintaining compliance with the civil immigration enforcement policy;

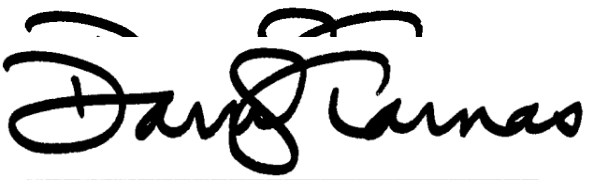
(2) Deleting duplicative civil immigration enforcement policy provisions relating to the Department of Law Enforcement; and

(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. 3322, 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. 3322, S.D. 2, H.D. 2.

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



DAVID A. TARNAS, Chair

State of Hawaii
House of Representatives
The Thirty-third Legislature

HSCR 2035-26

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.:	Committee Referral:	Date:
SB3322 SD2 HD1	ECD, JHA	4/1/2026

☐ The committee is reconsidering its previous decision on the measure.

The recommendation is to: ☐ Pass, unamended (as is) ☒ Pass, with amendments (HD) ☐ Hold
☐ Pass short form bill with HD to recommit for future public hearing (recommit)

JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au	✓			
4. COCHRAN, Elle			✓	
5. HASHEM, Mark J.				✓
6. KAHALOA, Kirstin	✓			
7. SAYAMA, Jackson D.				✓
8. TAKAYAMA, Gregg	✓			
9. GARCIA, Diamond			✓	
10. SHIMIZU, Garner M.			✓	
TOTAL (10)	5	0	3	2

The recommendation is: ☒ Adopted ☐ Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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