

STAND. COM. REP. NO. 2125-26

Honolulu, Hawaii  
, 2026

APR 10

RE: S.B. No. 709  
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. 709, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

begs leave to report as follows:

The purpose of this measure is to update and clarify laws governing mental health crisis intervention.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Health; The Institute for Human Services, Inc.; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Disability Rights Center and three individuals. Your Committee received comments on this measure from the Department of Law Enforcement; Aloha Independent Living Hawaii; and Common Cause Hawaii.

Your Committee finds that the State has multiple statutory mechanisms to address severe mental illness in the community, including assisted community treatment, involuntary hospitalization, and crisis response involving law enforcement and health care providers. Your Committee further finds that clear standards for crisis intervention training, greater specificity regarding the scope of court-ordered assisted community treatment,

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and improved procedural support for treatment authorization proceedings are necessary to promote more consistent implementation of existing law as resources and needs evolve.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Department of Health, or another department or contracted service provider, to review reports that a person with severe mental illness requires assistance; assess whether the person meets the criteria for assisted community treatment; and, if the person meets the criteria, coordinate the process for obtaining an assisted community treatment order;
- (2) Requiring the Director of Law Enforcement to adopt rules pursuant to administrative procedure laws, chapter 91, Hawaii Revised Statutes, establishing training and certification standards and procedures for crisis intervention officers;
- (3) Deleting language that would have required a court's denial of a petition for involuntary commitment to serve as notice to the Department of Health that the person who was the subject of the petition should be evaluated for assisted community treatment;
- (4) Limiting the requirement for assistance by the Department of the Attorney General to requests for court orders authorizing treatment over a patient's objection;
- (5) Restoring the definition of "imminently dangerous to self or others" under the criteria for issuance of court or administrative order authorizing treatment over a patient's objection;
- (6) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

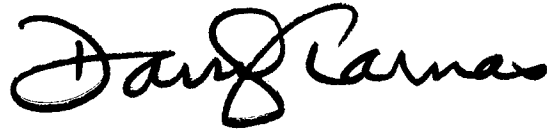
Your Committee notes the concerns raised regarding the amended language contained in the S.D. 2 of this measure, which



was received by the House without submission of testimony and opportunity for public comment in a public hearing before the Senate subject matter committees this session. Your Committee respectfully requests that, if this measure returns to the Senate, the Senate review the concerns raised.

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. 709, 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. 709, 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



