
A BILL FOR AN ACT

RELATING TO PROTECTED COMMUNITY LOCATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that schools, health care
2 settings, libraries, shelters, places of worship, and other
3 community spaces must remain safe and accessible to all
4 residents. In January 2025, the United States Department of
5 Homeland Security rescinded prior guidance protecting
6 "sensitive" or "protected" areas, creating uncertainty and
7 chilling access to critical services.

8 The purpose of this Act is to establish statewide standards
9 for state and county agencies, officers, employees, contractors,
10 and recipients of state funds, to limit participation in civil
11 immigration enforcement in or near protected community
12 locations, consistent with the State's police powers, civil
13 rights laws, and constitutional protections for education,
14 public health, and the free exercise of religion.

15 SECTION 2. The Hawaii Revised Statutes is amended by
16 adding a new chapter to be appropriately designated and to read
17 as follows:



1 "CHAPTER
2 PROTECTED COMMUNITY LOCATIONS AND CIVIL IMMIGRATION ENFORCEMENT

3 § -1 Definitions. As used in this chapter:

4 "Civil immigration enforcement" means actions to
5 investigate, apprehend, detain, or remove a person for alleged
6 violations of federal civil immigration law.

7 "Designated administrator or counsel" means the individual
8 or office formally identified as the point of contact authorized
9 to receive, review, and respond to inquiries, requests, or
10 documents related to civil immigration enforcement, including
11 verifying the validity and authority of judicial warrants and
12 coordinating the agency's obligations under this chapter.

13 "Immigration detainer" means a request from a federal
14 agency to a state or county agency to hold an individual for
15 civil immigration enforcement purposes in state or county
16 custody.

17 "Judicial warrant" means a warrant issued by a federal or
18 state judge based on probable cause. "Judicial warrant" does
19 not include an administrative warrant issued by an executive
20 branch agency or immigration detainer.



1 "Nonpublic area" means any area of a facility that is not
2 open to the general public.

3 "Protected community location" means any facility operated
4 by the State or a county.

5 "Protected perimeter" means the area within one thousand
6 feet of the real property boundary of a protected community
7 location, including adjacent parking areas, sidewalks, streets,
8 and other publicly accessible spaces.

9 "State actor" means any state or county agency, officer, or
10 employee who is performing their official duties.

11 "State contractor" means any person, business, nonprofit
12 organization, or other entity that enters into a contract,
13 grant, agreement, or other arrangement, in excess of \$1,000,000
14 per year, to provide goods or services on behalf of, or for the
15 benefit of, a state agency.

16 § -2 **No assistance with civil immigration enforcement in**
17 **protected community locations.** (a) A state actor or state
18 contractor shall not use personnel, facilities, property,
19 equipment, or funds to assist with civil immigration enforcement
20 in a protected community location or within the protected
21 perimeter, except as authorized in subsection (c).



1 (b) A state actor or state contractor shall not:
2 (1) Provide access to nonpublic areas of a protected
3 community location for civil immigration enforcement
4 purposes;
5 (2) Collect personal or identifying information for civil
6 immigration enforcement purposes; or
7 (3) Facilitate interviews or surveillance for civil
8 immigration enforcement purposes;
9 unless required by federal or state law or pursuant to a
10 judicial warrant.

11 (c) This section shall not prohibit:
12 (1) Responding to an imminent threat to life or safety;
13 (2) Executing a judicial warrant or court order; or
14 (3) Performing duties unrelated to civil immigration
15 enforcement, including fire code, building safety, or
16 public health inspections.

17 § -3 **Law enforcement requests; judicial warrants;**
18 **reporting.** (a) A state actor or state contractor working at a
19 protected community location shall refer any law enforcement
20 request relating to immigration to the designated administrator
21 or counsel.



1 (b) Access to nonpublic areas shall be granted only upon
2 presentation of a judicial warrant, either the original or a
3 court-stamped copy, and confirmation by the designated
4 administrator or counsel that the warrant is valid and
5 authorizes the requested entry.

6 (c) Each state actor and state contractor shall document
7 all immigration-related requests, including photographing or
8 otherwise copying any warrant or document presented, and
9 promptly transmit the record to the designated administrator or
10 counsel and attorney general.

11 § -4 **Policies, training, and signage.** (a) By
12 January 1, 2027, all state and county agencies that operate
13 protected community locations shall adopt and post written
14 policies that:

- 15 (1) Identify nonpublic areas;
- 16 (2) Establish procedures for warrant verification and
17 staff response;
- 18 (3) Prohibit the collection of immigration-status data
19 unless required by law;
- 20 (4) Require annual staff training; and



1 (5) Require multilingual notices stating that services are
2 provided regardless of immigration status.

3 (b) The attorney general shall publish model policies for
4 adoption by county facilities and voluntary adoption by private
5 education or health providers and private places of worship.

6 § -5 **Data privacy and records.** (a) State actors and
7 state contractors shall not inquire into, collect, or maintain
8 information regarding a person's immigration or citizenship
9 status, except as required by law or as necessary to provide the
10 requested service.

11 (b) A state actor or state contractor may disclose
12 personal information to federal immigration authorities only
13 pursuant to a judicial warrant, subpoena, or court order that
14 specifically requires disclosure.

15 § -6 **Enforcement; complaints; investigation.** The
16 attorney general shall adopt policies and procedures to receive
17 complaints, investigate alleged violations, and issue findings
18 and penalties.

19 § -7 **Construction; federal law.** Nothing in this chapter
20 shall obstruct federal officers acting within their lawful
21 authority. This chapter shall be construed to regulate only the



1 conduct of state actors, state contractors, and individuals
2 providing state-funded services."

3 SECTION 3. Chapter 127A, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§127A- Protected community locations; compliance. The
7 agency shall comply with chapter , relating to protected
8 community locations and civil immigration enforcement, including
9 adopting and posting written policies, providing annual staff
10 training, and maintaining data privacy protections."

11 SECTION 4. Chapter 302A, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§302A- Protected community locations; compliance. The
15 department shall comply with chapter , relating to protected
16 community locations and civil immigration enforcement, including
17 adopting and posting written policies, providing annual staff
18 training, and maintaining data privacy protections."

19 SECTION 5. Chapter 302D, Hawaii Revised Statutes, is
20 amended by adding a new section to be appropriately designated
21 and to read as follows:



1 "§302D- Protected community locations; compliance. The
2 commission shall comply with chapter , relating to protected
3 community locations and civil immigration enforcement, including
4 adopting and posting written policies, providing annual staff
5 training, and maintaining data privacy protections."

6 SECTION 6. Chapter 304A, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§304A- Protected community locations; compliance. The
10 university of Hawaii shall comply with chapter , relating to
11 protected community locations and civil immigration enforcement,
12 including adopting and posting written policies, providing
13 annual staff training, and maintaining data privacy
14 protections."

15 SECTION 7. Chapter 312, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:

18 "§312- Protected community locations; compliance. The
19 Hawaii state public library system shall comply with
20 chapter , relating to protected community locations and civil
21 immigration enforcement, including adopting and posting written



1 policies, providing annual staff training, and maintaining data
2 privacy protections."

3 SECTION 8. Chapter 323F, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§323F- Protected community locations; compliance. The
7 corporation shall comply with chapter , relating to protected
8 community locations and civil immigration enforcement, including
9 adopting and posting written policies, providing annual staff
10 training, and maintaining data privacy protections."

11 SECTION 9. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so
13 much thereof as may be necessary for fiscal year 2026-2027 for
14 the department of the attorney general to implement this Act,
15 including by providing model policies, training materials, and a
16 reporting portal.

17 The sum appropriated shall be expended by the department of
18 the attorney general for the purposes of this Act.

19 SECTION 10. New statutory material is underscored.



1 SECTION 11. This Act shall take effect on July 1, 3000.



Report Title:

AG; Civil Immigration Enforcement; State Actors; State Contractors; Protected Community Locations; Statewide Standards; Written Policies; Appropriation

Description:

Establishes statewide standards for state and county agencies, officers, employees, contractors, and recipients of state funds, to limit participation in civil immigration enforcement in or near protected community locations. By 1/1/2027, requires all state and county agencies that operate protected community locations to adopt and post written policies, provide annual staff training, and maintain data privacy protections. Appropriates funds for implementation by the Attorney General. Effective 7/1/3000. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

