
A BILL FOR AN ACT

RELATING TO EMERGENCY MANAGEMENT.

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

1 PART I

2 SECTION 1. The legislature finds that it is necessary to
3 reestablish the proper constitutional framework of checks and
4 balances and separation of powers between the legislature and
5 the executive branch with respect to the enactment of laws to
6 address important issues of public policy. Article III, section
7 1, of the Hawaii State Constitution vests the "legislative power
8 of the State" in the legislature. Article V, section 5, of the
9 Hawaii State Constitution gives the governor the responsibility
10 "for the faithful execution of the laws" that are enacted.

11 The legislature further finds that the decision of the
12 Hawaii Supreme Court in *Nakoa v. Governor of State*, 156 Hawaii
13 416, 575 P.3d 506 (2025), threatens to upset this vital
14 constitutional balance. The Hawaii Supreme Court interpreted
15 chapter 127A, Hawaii Revised Statutes, to grant the governor
16 emergency powers, including the power to suspend laws enacted by
17 the legislature, to address "conditions that threaten



1 substantial harm to Hawaii's people, property, or environment",
2 including but not only discrete, sudden events, but also "long-
3 term issues", such as the nearly century-long shortage of
4 affordable housing in Hawaii.

5 The legislature additionally finds that in order to
6 preserve the separation of powers and avoid executive overreach,
7 it must remain the exclusive province of the legislature to
8 address longstanding public-policy challenges.

9 Therefore, the purpose of this part is to clarify that the
10 emergency powers granted by chapter 127A, Hawaii Revised
11 Statutes, to the governor and county mayors are strictly limited
12 to situations that involve responding to the sudden occurrence
13 of disasters or emergencies of unprecedented size and
14 destructiveness resulting from natural or human-caused hazards.

15 SECTION 2. Section 127A-2, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By adding a new definition to be appropriately inserted
18 and to read:

19 "Catastrophic harm" means extraordinary levels of loss of
20 life, mass casualties, or life-threatening physical injury to a
21 large number of persons, or the sudden failure or destruction of



1 critical infrastructure essential to immediate public safety or
2 life-sustaining public health functions."

3 2. By amending the definition of "disaster" to read:

4 ""Disaster" means [~~any emergency,~~] the occurrence or
5 imminent threat [~~thereof, which results or may likely result in]~~
6 of widespread or severe damage, injury, or loss of life,
7 property, or environment [~~and]~~ resulting from any sudden natural
8 or artificial cause, including hurricanes, windstorms, floods,
9 extreme rain events, earthquakes, landslides, mudslides,
10 volcanic activity, tsunamis, fires, explosions, air or water
11 contamination, blight, droughts, infestations, riots, sabotage,
12 hostile military or paramilitary action, hazardous material
13 accidents, disease or contagion outbreaks, bioterrorism,
14 cyberterrorism, terrorism, or incidents involving weapons of
15 mass destruction, that requires, or may require, assistance from
16 other counties, states, the federal government, or from private
17 agencies."

18 3. By amending the definition of "emergency" to read:

19 ""Emergency" means [~~any]~~ the occurrence[~~7]~~ or imminent
20 threat [~~thereof, which results or may likely result in~~
21 substantial injury or] of a disaster that causes or may be



1 likely to cause catastrophic harm and immediate danger to the
2 population [~~or~~], substantial damage to or loss of property, or
3 substantial damage to or loss of the environment[.] and that
4 timely action can avert or minimize."

5 PART II

6 SECTION 3. The legislature finds that the State's
7 communities face increasing risks from climate change, sea level
8 rise, flooding, wildfires, drought, hurricanes, and other
9 natural hazards. Recent disasters in the State and across the
10 country demonstrate the importance of strengthening
11 community-based preparedness and resilience.

12 The legislature further finds that trusted community
13 gathering places, including schools, libraries, parks, and
14 nonprofit facilities, can serve as neighborhood coordination
15 centers during emergencies. These "community resilience hubs"
16 can provide emergency information, communications, charging
17 stations, and mutual aid services to residents during disasters.

18 The legislature also finds that federal programs, including
19 initiatives supported by the National Oceanic and Atmospheric
20 Administration's National Sea Grant College Program, demonstrate
21 the effectiveness of community-led resilience planning and



1 stewardship. However, additional state coordination,
2 implementation, and support are necessary to expand these
3 efforts statewide.

4 The purpose of this part is to establish a Hawaii community
5 resilience hub program within the Hawaii emergency management
6 agency to support the development of community-based resilience
7 hubs across the State and leverage federal, philanthropic, and
8 private-sector funding for disaster preparedness and climate
9 resilience.

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

13 "§127A- Hawaii community resilience hub program. (a)

14 There is established within the agency a Hawaii community
15 resilience hub program.

16 (b) The program shall support the development and
17 coordination of community-based resilience hubs that provide
18 emergency preparedness resources, disaster response support, and
19 climate resilience education for communities throughout the
20 State.



1 (c) The agency shall administer the program in
2 coordination with National Sea Grant College Program at the
3 university of Hawaii; the department of land and natural
4 resources; county emergency management agencies; community-
5 based, nonprofit, and Native Hawaiian stewardship organizations;
6 and other public and private partners as appropriate.

7 (d) The agency may provide grants, technical assistance,
8 and other support to eligible applicants to establish or enhance
9 community resilience hubs. Eligible applicants may include:

- 10 (1) Nonprofit organizations;
11 (2) Community associations;
12 (3) Educational institutions;
13 (4) Cultural or faith-based organizations;
14 (5) Local government agencies; and
15 (6) Other organizations that operate trusted community
16 gathering places.

17 (e) Program funds may be used for activities including but
18 not limited to:

- 19 (1) Disaster preparedness training and volunteer
20 coordination;



- 1 (2) Community-based climate resilience planning and
- 2 education;
- 3 (3) Emergency communications equipment and internet
- 4 access;
- 5 (4) Installation of renewable energy systems and battery
- 6 storage to provide backup power;
- 7 (5) Water storage, emergency supplies, and disaster
- 8 preparedness equipment;
- 9 (6) Cooling centers, air filtration systems, and public
- 10 health support during extreme weather events; and
- 11 (7) Other resilience-building activities as determined by
- 12 the agency.
- 13 (f) In administering the program, the agency shall seek to
- 14 leverage additional funding from:
- 15 (1) Federal resilience and disaster preparedness programs;
- 16 (2) Philanthropic foundations;
- 17 (3) Private sector partnerships; and
- 18 (4) Other sources of public and private funding.
- 19 (g) The agency shall prioritize projects that demonstrate
- 20 strong community partnerships, serve vulnerable or underserved
- 21 communities, incorporate culturally grounded stewardship



1 practices, and increase statewide disaster preparedness
2 capacity. The agency shall also prioritize community resilience
3 hub grant applications that demonstrate active participation in
4 the Federal Emergency Management Agency's Community Emergency
5 Response Team Program or other recognized community disaster
6 preparedness programs.

7 (h) The agency shall submit an annual report of its
8 findings and recommendations, including any proposed
9 legislation, to the legislature no later than twenty days prior
10 to the convening of each regular session. The report shall
11 include:

12 (1) The number and locations of community resilience hubs
13 supported by the program;

14 (2) The types of projects funded;

15 (3) Amounts of federal, philanthropic, and private funding
16 leveraged; and

17 (4) Recommendations for improving and expanding the
18 program."

19 SECTION 5. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2026-2027 for



1 the establishment and implementation of the Hawaii community
2 resilience hub program.

3 The sum appropriated shall be expended by the Hawaii
4 emergency management agency for the purposes of this part.

5 PART III

6 SECTION 6. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect on July 1, 2055.



Report Title:

HIEMA; Emergency Management; Emergency Powers; Disasters;
Emergencies; Hawaii Community Resilience Hub Program;
Preparedness; Reports; Appropriation

Description:

Clarifies the types of events that constitute disasters and emergencies for the purposes of emergency management. Establishes the Hawaii Community Resilience Hub Program within the Hawaii Emergency Management Agency to support the development of community-based resilience hubs across the State and leverage federal, philanthropic, and private-sector funding for disaster preparedness and climate resilience. Requires annual reports to the Legislature. Appropriates funds. Effective 7/1/2055. (SD1)

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

