

Honolulu, Hawaii
MAR 05, 2026

RE: H.B. No. 1516
H.D. 1

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 H.B. No. 1516 entitled:

"A BILL FOR AN ACT RELATING TO PRETRIAL RELEASE,"

begs leave to report as follows:

The purpose of this measure is to require certain factors to be considered when determining a defendant's financial ability to afford bail.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Office of the Public Defender; Hawai'i Correction System Oversight Commission; Community Alliance on Prisons; Imua Alliance; ACLU of Hawai'i; Drug Policy Forum of Hawai'i; and three individuals. Your Committee received testimony in opposition to this measure from the Office of the Prosecuting Attorney of the County of Hawai'i and one individual.

Your Committee finds that bail determinations that fail to adequately consider a defendant's financial circumstances can result in unnecessary pretrial detention based on poverty rather than risk. Your Committee further finds that excluding income derived from public benefits and focusing on what a defendant can reasonably pay within a short period promotes fairness, preserves judicial discretion, and ensures that bail serves its intended

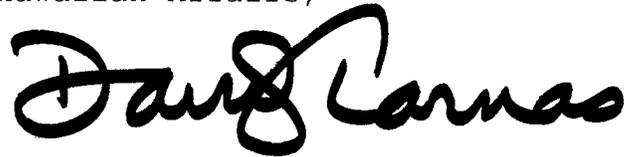


purpose without rendering release unattainable for low-income defendants.

Your Committee has amended this measure by changing the effective date to July 1, 3000, to encourage further discussion.

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 H.B. No. 1516, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1516, H.D. 1, and be placed on the calendar for Third Reading.

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



DAVID A. TARNAS, Chair



