

Honolulu, Hawaii

MAR 05 , 2026

RE: H.B. No. 1768
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. 1768 entitled:

"A BILL FOR AN ACT RELATING TO IMMIGRATION,"

begs leave to report as follows:

The purpose of this measure is to prohibit:

- (1) Any state or county law enforcement agency or law enforcement official from entering into an agreement under federal law that permits state or county agencies to engage in immigration enforcement; and
- (2) State and county law enforcement agencies and law enforcement officials from engaging in certain immigration-related actions, except under limited circumstances.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Kupuna Caucus of the Democratic Party of Hawaii; Mercado de la Raza; Maui Roots Reborn; El Pueblo en Accion Maui; UNITE HERE Local 5; Maui Indivisible; Hawai'i Coalition for Immigrant Rights; Pacific Gateway Center; The Legal Clinic; ACLU of Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from three individuals.



Your Committee finds that entanglement between local law enforcement and federal civil immigration enforcement creates fear among immigrant residents, discouraging them from reporting crimes, seeking essential services, or participating in community life, which undermines public safety for everyone. Your Committee further finds that practices such as honoring civil immigration detainers, sharing sensitive personal information, or allowing federal agents access to individuals in local custody without proper legal authority risk constitutional violations, erode community trust, and divert limited state and county resources away from core public safety responsibilities. This measure strengthens public safety and community stability by establishing clear boundaries that keep local law enforcement focused on state and local priorities while preventing unintended involvement in federal immigration enforcement.

Your Committee has amended this measure by:

- (1) Clarifying the definitions of "law enforcement agency" and "law enforcement official";
- (2) Specifying that law enforcement may inquire into a person's citizenship or immigration status when required by law or when relevant to a criminal investigation;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) 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 H.B. No. 1768, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1768, 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



