

Honolulu, Hawaii  
, 2026

**FEB 20**

RE: H.B. No. 1838  
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 H.B. No. 1838, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VISAS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish uniform statewide requirements for U and T visa certification policies and processes;
- (2) Require each state and county certifying entity to adopt policies and procedures for the issuance of U and T visas certifications; and
- (3) Appropriate funds for the Department of the Attorney General to provide training to certifying entities and certifying officials on all federal and state requirements for U and T visa certifications.

Your Committee received testimony in support of this measure from the State Health Planning and Development Agency; Hawaii State Commission on the Status of Women; one member of the Hawai'i County Council; Roots Reborn; El Pueblo en Acción Maui; The Legal Clinic; National Immigrant Women's Advocacy Project Inc.; Hawai'i Coalition for Immigrant Rights; Pacific Gateway Center; Hawai'i



State Coalition Against Domestic Violence; Hawai'i State Democratic Women's Caucus; American Civil Liberties Union of Hawai'i; and numerous individuals.

Your Committee finds that U nonimmigrant status and T nonimmigrant status are important crime-fighting and humanitarian tools that support noncitizen victims of crime who assist in the detection, investigation, or prosecution of criminal activity. Your Committee further finds that, absent uniform statewide standards, noncitizen victims face inconsistent access to U and T visa certifications due to varying policies, practices, and resource constraints among state and county certifying entities. Establishing clear, consistent requirements for certification policies, timelines, confidentiality, and training, consistent with federal law, will enhance access to justice for victims, promote public safety, and improve statewide coordination among certifying entities.

Your Committee has amended this measure by:

- (1) Amending the definition of:
  - (A) "Certifying entity" to mean any state or county entity that is authorized under federal law to issue U or T visa certifications, excluding state courts;
  - (B) "Certifying official" to delete inclusion of a state judge; and
  - (C) "U or T visa certification" to mean a written certification or declaration executed on a form prescribed by federal immigration authorities that is required for a U visa or considered by federal immigration authorities for a T visa;
- (2) Clarifying that a certifying official responds to an expedited U or T visa certification request by either completing the certification or denying the request for certification;
- (3) Clarifying that a requestor is not required to seek re-evaluation before filing an action seeking judicial



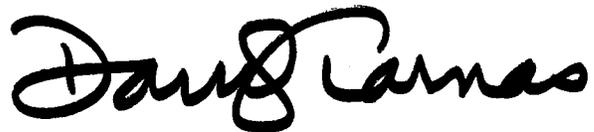
review and deleting language regarding seeking equitable relief;

- (4) Clarifying the requirements for determining the helpfulness of a victim for purposes of certification;
- (5) Clarifying that the confidentiality provisions are to be applied consistent with federal victim protection laws; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee strongly recommends your Committee on Finance, should it deliberate on this measure, to consider language ensuring that funds appropriated by this measure are used only for training that employs an existing, tested curriculum on U and T visa certification that is currently used nationally. The funds would not be used to develop a new curriculum, but would be limited to adapting an established curriculum to address the provisions of this measure.

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. 1838, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1838, 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



