

Honolulu, Hawaii

FEB 20 , 2026

RE: H.B. No. 1849  
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 Consumer Protection & Commerce, to which was referred H.B. No. 1849 entitled:

"A BILL FOR AN ACT RELATING TO LICENSING,"

begs leave to report as follows:

The purpose of this measure is to remove, for purposes of professional and vocational licensing, the requirement that a person be a United States citizen, United States national, or alien authorized to work in the United States, and allow a person to provide an individual taxpayer identification number in lieu of a social security number.

Your Committee received testimony in support of this measure from the Hawai'i Coalition for Immigrant Rights; Roots Reborn; and three individuals. Your Committee received testimony in opposition to this measure from the Pacific Resource Partnership. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Real Estate Commission.

Your Committee finds that many immigrants are precluded from obtaining a professional or vocational license merely on their immigration status. These include undocumented immigrants, Deferred Action for Childhood Arrivals (DACA) recipients, Temporary Protected Status (TPS) holders, and Deferred Enforced



Departure (DED) recipients. In the case of DACA, TPS, and DED recipients, they are authorized to lawfully remain in the United States and lawfully be employed; however, they are still excluded from a variety of employment opportunities due to the licensing prohibition.

Your Committee further finds that licensing systems play a critical role in determining who is able to work, support their families, and contribute fully to the economy. When licensing barriers are overly restrictive, unclear, or disconnected from public safety objectives, the licensing barriers can unnecessarily exclude qualified individuals from lawful employment and career advancement. This measure removes that unnecessary barrier by deleting the requirement that persons have a certain citizenship or immigrant status and allowing persons to submit an individual taxpayer identification number instead of a social security number.

Your Committee notes that concerns were raised in written testimony before your Committee that this measure would be in violation of the federal law that requires social security numbers to be on an application for a professional license for purposes of effectuating child support enforcement. Your Committee further notes that the federal Office of Child Support Enforcement published interpretive guidance stating that the Office does not interpret the federal law to preclude an individual from licensure if the individual does not have a social security number; rather, a social security number is required only if the individual has a social security number. The interpretive guidance further states that in the event an individual does not have a social security number, the individual should submit a sworn affidavit, under penalty of perjury, stating that the individual does not have a social security number. Your Committee notes that this federal guidance has alleviated the concerns raised in testimony that this measure may be contrary to federal law.

Your Committee has amended this measure by:

- (1) Clarifying that a social security number is required if the applicant has a social security number, but an applicant who does not have a social security number may provide an individual taxpayer identification number with a sworn affidavit stating that the applicant does not have a social security number;



- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1849, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1849, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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SCOT Z. MATAYOSHI, Chair



