

Honolulu, Hawaii

FEB 20 , 2026

RE: H.B. No. 1870
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. 1870, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROTECTED COMMUNITY LOCATIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish statewide standards for state and county agencies, officers, employees, and contractors, to limit participation in civil immigration enforcement in or near protected community locations; and
- (2) Appropriate funds to the Department of the Attorney General to implement this measure, including by providing model policies, training materials, and a reporting portal.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Hawaii State Commission on the Status of Women; one member of the Hawai'i County Council; Healthcare Association of Hawaii; Hawai'i Alliance of Nonprofit Organizations; Imua Alliance; Roots Reborn; El Pueblo en Acción Maui; Hawai'i Children's Action Network Speaks!; UNITE HERE Local 5; League of Women Voters of Hawai'i County; American College of



Obstetricians and Gynecologists, Hawai'i Section; The Legal Clinic; Hawai'i Coalition for Immigrant Rights; Pacific Gateway Center; American Civil Liberties Union of Hawai'i; Center for Law and Social Policy; and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the University of Hawai'i System; Department of Education; and University of Hawaii Professional Assembly.

Your Committee finds that community spaces must remain safe and accessible so that residents can obtain essential services without fear or hesitation. Your Committee further finds that recent changes in federal guidance regarding civil immigration enforcement have created uncertainty for state and county agencies, underscoring the need for clear, uniform statewide standards consistent with the State's police powers to protect public health, safety, welfare, and civil rights. This measure will promote public trust and support the effective delivery of public services statewide while ensuring compliance with federal law and judicial warrants.

Your Committee has amended this measure by:

- (1) Clarifying that the definition of "state contractor" applies only to entities entering into contracts, grants, agreements, or other arrangements after the effective date of this measure;
- (2) Clarifying that the limitations on assistance with civil immigration enforcement do not prohibit actions otherwise required by federal or state law;
- (3) Requiring the Attorney General to publish model policies for adoption by all state and county agencies that operate protected community locations;
- (4) Clarifying the data privacy provisions by removing the prohibition on maintaining information and deleting language regarding authorized disclosure;
- (5) Amending the enforcement provisions by removing the requirement to issue penalties and clarifying that no finding of a violation shall be issued against a state actor who acts in good faith reliance on an apparently



valid judicial warrant or under duress or reasonable fear for safety;

- (6) Clarifying the scope of the measure by removing references to individuals providing state-funded services;
- (7) Clarifying statewide applicability by replacing amendments to individual agency chapters with amendments to general state and county administration chapters;
- (8) Clarifying that the measure is of statewide concern and does not restrict the University of Hawaii from complying with mandatory federal contractor certifications or other conditions tied to federal funding; and
- (9) 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. 1870, 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. 1870, H.D. 2.

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



DAVID A. TARNAS, Chair



