

Honolulu, Hawaii

MAR 06 , 2026

RE: H.B. No. 2197
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. 2197, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Specify a process by which property owners may utilize law enforcement officers to remove unauthorized individuals from dwellings;
- (2) Establish the criminal offenses of squatting and fraudulent sale or lease of residential real property;
- (3) Classify the type of property damage typically inflicted by squatters as a form of criminal property damage in the second degree; and
- (4) Classify the falsification of documents as a form of unsworn falsification to authorities.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS; Waikiki Neighborhood Board; Grassroots Institute of Hawaii; and three individuals.



Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that squatting has increasingly resulted in situations where unauthorized individuals unlawfully occupy dwellings, cause significant property damage, and create safety risks for owners and the surrounding communities. Your Committee further finds that existing civil eviction processes are lengthy, costly, and ill-suited to situations involving individuals who have no legitimate tenancy and may present fraudulent documentation to avoid removal. Your Committee believes that establishing a clear, expedited removal procedure and criminal penalties for related misconduct will better protect property rights and enhance public safety.

Your Committee has amended this measure by:

- (1) Defining the term "rental agreement";
- (2) Replacing the reference to any "lease" produced by an unauthorized individual with "rental agreement" for purposes of:
 - (A) The recitals in an affidavit; and
 - (B) The offense of unsworn falsification to authorities;
- (3) Specifying, for purposes of the recitals in an affidavit, that the affidavit constitutes a material statement of law and is signed under penalty of perjury;
- (4) Specifying that any personal property of an unauthorized individual remaining in a dwelling after the removal of said individual is deemed abandoned and authorizing the owner of the dwelling to dispose of the personal property;
- (5) Clarifying the offense of squatting;
- (6) Making the offense of criminal trespass in the first degree for a person who knowingly enters or remains

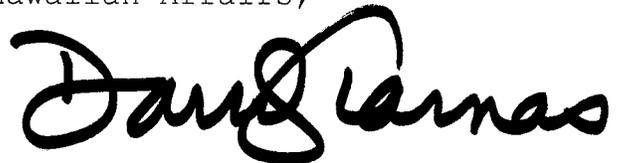


unlawfully in a dwelling or in or upon the premises of a hotel or apartment building a class C felony, rather than a misdemeanor;

- (7) Clarifying that a person commits the offense of criminal property damage in the second degree if they intentionally or knowingly damage the dwelling of another without the other's consent; and
- (8) 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. 2197, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2197, H.D. 2.

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



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <i>HB 2197 HDI</i>	Committee Referral: <i>HCH, JHA</i>	Date: <i>3/4/2026</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au				✓
4. COCHRAN, Elle				✓
5. HASHEM, Mark J.	✓			
6. KAHALOA, Kirstin	✓			
7. SAYAMA, Jackson D.	✓			
8. TAKAYAMA, Gregg	✓			
9. GARCIA, Diamond	✓			
10. SHIMIZU, Garner M.	✓			
TOTAL (10)	<i>8</i>	<i>0</i>	<i>0</i>	<i>2</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				