

Honolulu, Hawaii

FEB 18 , 2026

RE: H.B. No. 2540
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 Economic Development & Technology, to which was referred H.B. No. 2540 entitled:

"A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit, with certain exceptions, the use of facial coverings and require the visible identification of law enforcement officers and their vehicles in the performance of their duties;
- (2) Require state and county law enforcement agencies to establish written policies regarding civil immigration enforcement and civil immigration status inquiries; and
- (3) Establish criminal offenses for improper facial coverings and lack of visible identification by law enforcement officers, and unauthorized civil immigration interrogation, arrest, or detention.

Your Committee received testimony in support of this measure from the Office of the Public Defender; University of Hawaii Professional Assembly; Marchante LLC dba Mercado de la Raza; Libertarian Party of Hawaii; Pacific Gateway Center; Roots Reborn;



Hawai'i Coalition for Immigrant Rights; American Civil Liberties Union; Pride at Work - Hawai'i; American Civil Liberties Union of Hawai'i; The Legal Clinic; Imua Alliance; Hawai'i Alliance for Progressive Action; HULI PAC; Green Party of Hawai'i; Chamber of Sustainable Commerce; and numerous individuals. Your Committee received testimony in opposition to this measure from the County of Hawai'i Police Department; Police Department, County of Maui; Honolulu Police Department; Kaua'i Police Department; and four individuals. Your Committee received comments on this measure from the Department of Law Enforcement.

Your Committee finds that according to the American Immigration Council, Hawaii is home to approximately 250,000 immigrants, comprising eighteen percent of the State's population. About thirty thousand of these foreign-born individuals are believed to be undocumented. Your Committee further finds that the State is justifiably proud of its rich immigrant heritage, which has woven many residents into a valued tapestry of races, ancestral groups, religions, cultures, and languages from people throughout the world.

Your Committee also finds that across the country, urgent concerns are being raised about federal immigration enforcement and federal policies that are fueling fear and confusion, undermining civil liberties, and eroding public trust. Your Committee believes the State has a duty to adopt policies and standards to ensure that residents and communities feel safe and remain protected, regardless of their origin and ethnicity. Unchecked federal immigration actions that fail to prioritize due process and violate civil rights can result in families being unduly torn apart.

Your Committee notes that there are two important immigration-related vehicles moving through the legislative process this session - this measure and House Bill No. 1886, Regular Session of 2026 (H.B. No. 1886). Your Committee intends to use H.B. No. 1886, rather than this measure, to serve as the vehicle to establish requirements and penalties related to facial coverings and visible identification of law enforcement officers. Amendments to this measure are therefore necessary to incorporate language from H.B. No. 1886 to ensure that state and county law enforcement are not co-opted into federal law enforcement operations related to civil immigration enforcement.



Accordingly, your Committee has amended this measure by:

- (1) Removing provisions prohibiting the use of facial coverings and requiring the visible identification of law enforcement officers;
- (2) Removing provisions establishing criminal offenses for improper facial coverings and lack of visible identification by law enforcement officers, and unauthorized civil immigration interrogation, arrest, or detention;
- (3) Adding provisions limiting state and federal collaboration for purposes of immigration enforcement operations;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) 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 Economic Development & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2540, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2540, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Development & Technology,



GREGGOR ILAGAN, Chair



