

Honolulu, Hawaii

APR 29 2026

RE: S.B. No. 2108
S.D. 1
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2108, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO JURISDICTION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Amend the factors the Family Court is required to consider in deciding whether the court may waive jurisdiction over a minor held for criminal proceedings;
- (2) Preserve the Family Court's jurisdiction over a minor transferred for criminal proceedings for subsequent acts that would otherwise be within the Family Court's jurisdiction;



- (3) Establish a minimum age of fourteen years for a minor to be waived into another court for murder or attempted murder; and
- (4) Require the Family Court to retain jurisdiction over a minor if the court finds by clear and convincing evidence that the minor was trafficked, sexually abused, or raped by the alleged victim in the case, either before or during the commission of the alleged offense.

Your Committee on Conference finds that in a vast majority of cases, children who come into conflict with the law are contending with early childhood trauma and unmitigated adverse childhood experiences. Your Committee on Conference further finds that the inclusion of adverse childhood experiences, childhood trauma, sexual abuse, mental health history, and other related factors is important for a Family Court to consider when determining the appropriateness of a waiver of jurisdiction. This measure strengthens Family Court decision-making by ensuring that waiver determinations fully consider a minor's background and victimization and by preserving Family Court jurisdiction in cases where rehabilitative services and trauma-informed interventions are more appropriate.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have established a minimum age of fourteen years for a minor to be waived into another court for murder or attempted murder;
- (2) Deleting language that would have overridden any law conflicting with the requirement that if the court finds by clear and convincing evidence that the minor was trafficked, sexually abused, or raped by the alleged victim in the case before or during the commission of the alleged offense, the court shall retain jurisdiction and shall not waive jurisdiction over the minor;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your



Committee on Conference is in accord with the intent and purpose of S.B. No. 2108, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2108, S.D. 1, H.D. 2, C.D. 1.

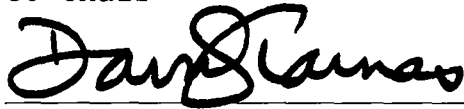
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

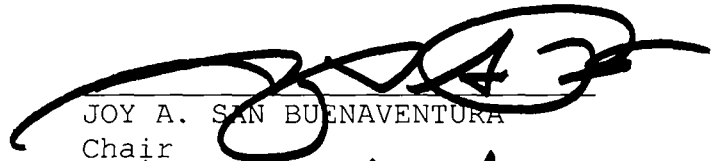
ON THE PART OF THE SENATE



LISA MARTEN
Co-Chair



DAVID A. TARNAS
Co-Chair



JOY A. SAN BUENAVENTURA
Chair



KARL RHOADS
Co-Chair



Hawai'i State Legislature

Record of Votes of a
Conference Committee

CCR 58-26

Bill / Concurrent Resolution No.: SB 2108, SD 1, HD 2	Date/Time: 4/28/26 2:36 PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).


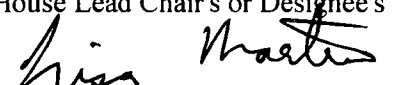
The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
SAN BUENAVENTURA, Joy A., Chr.	/				MARTEN, Lisa, Co-Chr.	/			
RHOADS, Karl, Co-Chr.	/				TARNAS, David A., Co-Chr.	/			
FEVELLA, Kurt	/				HARTSFIELD, Daisy	/			
					OLDS, Ikaika	/			
					GARCIA, Diamond	/			
TOTAL	30	0	0		TOTAL	5	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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