

STAND. COM. REP. NO.

3096

Honolulu, Hawaii

MAR 06 2026

RE: S.B. No. 2135
S.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2135, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PRIVACY,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the offense of nonconsensual disclosure of an intimate image.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Hawaii State Commission on the Status of Women, Department of the Prosecuting Attorney of the County of Maui, and three individuals.

Your Committee received comments on this measure from the Department of the Attorney General and TechNet.

Your Committee finds that, despite being a recognized form of gender violence, no clear penalties exist for the nonconsensual sharing of intimate images. Without updated penalties that account for technological changes, victims are left without adequate protection or justice. This measure fills gaps in enforcement by criminalizing two scenarios not clearly covered by existing law. These scenarios include the sharing of nonconsensual intimate images that are either real images of a recognizable person or, crucially, digitally forged intimate images of a recognizable person. In the latter scenario, this



measure also ensures that offenders face prosecution even when they lacked the specific intent to harm the person depicted in the images, but whose violation of the right to privacy nevertheless exposes victims to shame, ridicule, harassment, and other significant harms.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2135, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2135, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



