

STAND. COM. REP. NO. 2995

Honolulu, Hawaii

MAR 06 2026

RE: S.B. No. 2312  
S.D. 1

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. 2312, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT CONTRACTS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that records created, received, maintained, or used by private contractors performing government functions on behalf of public agencies are subject to the State's Uniform Information Practices Act.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Hawaii Professional Chapter of the Society of Professional Journalists, Grassroot Institute of Hawaii, Public First Law Center, and one individual.

Your Committee received testimony in opposition to this measure from the Office of the Governor; Department of the Attorney General; Department of Human Resources Development; Department of Corrections and Rehabilitation; Department of Health; Department of Defense; Department of Commerce and Consumer Affairs; Department of Labor and Industrial Relations; Department of Hawaiian Home Lands; Department of Land and Natural Resources; Department of Transportation; Department of Budget and Finance; Department of Education; Department of Accounting and General Services; Department of Taxation; Department of Business, Economic



Development and Tourism; Department of Law Enforcement; Department of Agriculture and Biosecurity; Hawaii Public Housing Authority; State Procurement Office; Campaign Spending Commission; Hawai'i School Facilities Authority; University of Hawaii System; Hawaii Health Systems Corporation; and Department of Customer Services of the City and County of Honolulu.

Your Committee received comments on this measure from the Department of Human Services and Office of Information Practices.

Your Committee finds that the public's trust is dependent on transparency and accountability in government operations. Your Committee further finds that there is a loophole in the State's Uniform Information Practices Act that allows agencies to evade transparency requirements for records that are related to work carried out by private contractors under a government contract, therefore stripping the public of their right to access these records. This measure reaffirms the public's trust in government operations by closing this loophole and ensuring an open and transparent government.

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. 2312, S.D. 1, and recommends that it pass Third Reading.

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



---

KARL RHOADS, Chair



