

STAND. COM. REP. NO. **2271**

Honolulu, Hawaii

FEB 17 2026

RE: S.B. No. 2314
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 Hawaiian Affairs, to which was referred
S.B. No. 2314 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE,"

begs leave to report as follows:

The purpose and intent of this measure is to require that the
Hawaiian version of a law be held binding if the law in question
was:

- (1) Originally drafted in Hawaiian; or
- (2) If the law was originally drafted in English and if the
law was subsequently amended, codified, recodified, or
reenacted in Hawaiian, and meets certain criteria.

Your Committee received testimony in support of this measure
from the Judiciary; Hawai'i Civil Rights Commission; University of
Hawai'i System; Ke One O Kākuhihewa; Ho'omana Pono, LLC; and two
individuals.

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

Your Committee finds that language access is a crucial
component of civil rights, and there is a growing international
movement for the protection of the right's of the world's



indigenous peoples which includes the right to revitalize and use their languages and the responsibility of the States to take effective measures to ensure indigenous peoples can understand and be understood in political, legal, and administrative proceedings as stated in the United Nations Declaration on the Rights of Indigenous Peoples. Your Committee further finds that following the establishment of Hawaiian as an official language of the State, it is necessary to include an amendment to the Hawaii State Constitution that recognizes and honors Hawaiians cultural heritage and specifies how to determine which language version of a law should be binding when the English and Hawaiian versions differentiate. This measure honors the cultural and historical significance of ʻōlelo Hawaiʻi and preserves the intent of those who drafted such laws during the Kingdom of Hawaii, the territorial era, and beyond.

Your Committee notes that the Judiciary provided testimony regarding its concerns that this measure as introduced may be difficult to administer. A text-origin approach depends on information that is not consistently available across all laws, which can lead to uncertainty over time. Codification, recodification, and non-material amendments do not change substantive meaning, yet under a text-origin model, they could unintentionally shift which language version is binding. However, turning to legislative intent avoids these challenges entirely.

Accordingly, your Committee has amended this measure by:

- (1) Removing language that designated English as the binding version of a law if any radical or irreconcilable differences between the English and Hawaiian versions were found to exist;
- (2) Inserting language that prioritizes the language that aligns with the intent of the Legislature as evidenced by legislative history, context, and purpose wherever there is a difference between the English and Hawaiian versions of a law that is material to its interpretation;
- (3) Clarifying that Hawaiian shall not be required for public acts and transactions but is welcomed;



- (4) Amending section 1 to reflect its amended purpose; and
- (5) 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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2314, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2314, S.D. 1, and be referred to your Committee on Judiciary.

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


HERBERT M. RICHARDS, III, Chair



