

STAND. COM. REP. NO. **2375**

Honolulu, Hawaii

FEB 18 2026

RE: S.B. No. 2377
S.D. 1

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

Sir:

Your Committees on Public Safety and Military Affairs and Energy and Intergovernmental Affairs, to which was referred S.B. No. 2377 entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE OF CRITICAL INFRASTRUCTURE FACILITIES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the offense of criminal property damage to critical infrastructure facilities as a class C felony; and
- (2) Expand the term "critical infrastructure" to include broadband and cable networks.

Your Committees received testimony in support of this measure from the Department of the Prosecuting Attorney of the County of Maui, CTIA, Charter Communications, Hawaiian Telcom, and one individual.

Your Committees received testimony in opposition to this measure from the Office of the Public Defender.

Your Committees find that communities increasingly rely on complex infrastructure systems, such as electrical, water, and



telecommunications, for essential services. While these infrastructure systems provide important benefits to residents of the State, they also create new vulnerabilities. Increasing reliance on advanced telecommunications infrastructure, including broadband, is especially notable and requires further legal protection. Your Committees note that theft and vandalism targeting communications infrastructure, often motivated by the scrap value of copper, have increased significantly. This measure will address these vulnerabilities and protect public safety and welfare by strengthening deference and providing law enforcement with appropriate tools to hold offenders accountable.

Your Committees have amended this measure by inserting an effective date of September 1, 2050, to encourage further discussion.

Your Committees note the concerns raised by the Office of the Public Defender that damage to a critical infrastructure facility can already be prosecuted as "property of another" under existing criminal property damage statutes, and that rather than limiting the punishment to a single class C felony offense, the existing scheme would also allow an offender to be punished, commensurate with the severity of the damage caused, ranging from a petty misdemeanor to a class B felony. Your Committees further note that this measure would be unique and deviate from the general structure of existing criminal property damage statutes because the offense would be a class C felony based solely on the nature of the items damaged, in this case a "critical infrastructure facility". Finally, your Committees note that this measure lacks a specific definition for the term "damage", which may lead to unnecessary litigation and appellate challenges. Your Committees believe that these issues raise concerns that merit further consideration and request further examination by your Committee on Judiciary, should it choose to deliberate on this measure.

As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Energy and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2377, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2377, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety and
Military Affairs and Energy and
Intergovernmental Affairs,



GLENN WAKAI, Chair



CAROL FUKUNAGA, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:* SB 2377	Committee Referral: PSM/EI9, JDC	Date: 2/10/26		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
FUKUNAGA, Carol (C)	X			
LEE, Chris (VC)	X			
HASHIMOTO, Troy N.	X			
INOUE, Lorraine R.				X
DECORTE, Samantha	X			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink File with Committee Report Committee Drafting Agency				

*Only one measure per Record of Votes

