

Honolulu, Hawaii  
MAR 25 , 2026

RE: S.B. No. 2438  
S.D. 1  
H.D. 1

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

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 2438, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CIVIL INTERFERENCE WITH  
CONSTITUTIONAL AND STATUTORY RIGHTS,"

begs leave to report as follows:

The purpose of this measure is to authorize civil actions against any person who interferes or attempts to interfere with the exercise or enjoyment of constitutional and statutory rights.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission; Hawaii State Commission on the Status of Women; Community Alliance on Prisons; Roots Reborn; Fujiwara & Rosenbaum, LLLC; AAUW of Hawaii; The Legal Clinic; ACLU Hawai'i; League of Women Voters of Hawaii; and numerous individuals. Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii and one individual.

Your Committee finds that threats, intimidation, and coercion undermine the meaningful exercise of constitutional and statutory rights and that existing civil remedies may not adequately deter such conduct. Your Committee further finds that authorizing civil actions for interference with these rights, including by private



actors, will strengthen accountability and provide effective protection against future violations. This measure clarifies available remedies and reinforces the State's commitment to safeguarding the free exercise and enjoyment of civil rights.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "intimidation";
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2438, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2438, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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



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DAVID A. TARNAS, Chair



