

STAND. COM. REP. NO. 2498

Honolulu, Hawaii

FEB 20 2026

RE: S.B. No. 2478
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 Agriculture and Environment, to which was referred S.B. No. 2478 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII STATE CONSTITUTION TO RECOGNIZE AND PROTECT THE INHERENT AND INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A HEALTHFUL ENVIRONMENT AND CLIMATE AND HEALTHY NATIVE ECOSYSTEMS AND BEACHES,"

begs leave to report as follows:

The purpose and intent of this measure is to propose a constitutional amendment to ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate and healthy native ecosystems and beaches, shall be protected and shall not be infringed.

Your Committee received testimony in support of this measure from the Greenpeace Hawaii; Hawai'i State Youth Commission; 350Hawaii; Chamber of Sustainable Commerce; Environmental Caucus of the Democratic Party of Hawai'i; Climate Protectors Hawaii; Friends of Hanauma Bay; Green Amendments for the Generation; Green Party of Hawaii; Hawai'i Alliance for Progressive Action; Hawaii Interfaith Power and Light; Hawai'i Reef and Ocean Coalition; Kauai Climate Action Coalition; Kaua'i Women's Caucus; Our Revolution Hawai'i; Surfrider Foundation, Hawai'i Region; Surfrider Foundation, Kauai Chapter; Trinity United Methodist Church, WAI-



Wastewater Alternatives & Innovations; Zero Waste Kaua'i; Imua Alliance; Climate Future Forum; and twenty-six individuals.

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

Your Committee finds that multiple articles of the Hawaii State Constitution recognize the physical and cultural significance of the State's environment and natural resources. While article XI, section 9, of the Hawaii State Constitution acknowledges the rights and duties of state government to protect the environment, and the ability of people to enforce existing environmental protection laws, it does not in fact recognize the inalienable rights of people to a clean and healthy environment.

Your Committee further finds that, according to testimony received by your Committee, similar rights to a clean and healthy environment have been enshrined in the constitutions of other states, including Montana, New York, and Pennsylvania, and have been relied upon by government agencies and courts to properly interpret, apply, and enforce existing environmental laws and regulations. Enshrining environmental rights into the Hawaii State Constitution will ensure that environmental protection and environmental justice are prioritized throughout the State's economic, social, cultural, and governmental sectors. This measure will complement existing constitutional provisions in the Hawaii State Constitution and reinforce protections of human health, natural and cultural values, and the environment.

Your Committee has amended this measure by:

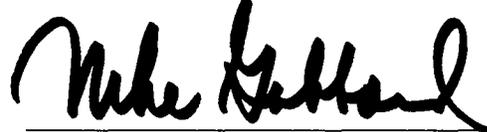
- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2478, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2478,



S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Agriculture and Environment,



MIKE GABBARD, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:*	Committee Referral:	Date:
SB2478	AEN, JDC/WAM	2-13-26
<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	
GABBARD, Mike (C)	X	
RICHARDS, III, Herbert M. "Tim" (VC)		X
DECOITE, Lynn		
RHOADS, Karl	X	
AWA, Brenton	X	
TOTAL	3	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