

STAND. COM. REP. NO. **3027**

Honolulu, Hawaii

MAR 06 2026

RE: S.B. No. 2795
S.D. 2

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. 2795, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require cooperative housing corporations, planned community associations, and condominium associations to allow owners to display the Hawaiian flag within the owner's property; and
- (2) Allow reasonable time, place, manner, and size restrictions on Hawaiian flag displays to protect a substantial interest of the association and corporation.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and four individuals.

Your Committee received comments on this measure from the Community Association Institute.

Your Committee finds that the Hawaiian flag reflects a legacy of sovereign governance and international diplomacy and remains a cherished symbol of Hawaiian history, culture, and identity. Thus, it is reasonable to protect the right to display the



Hawaiian flag in accordance with fundamental rights to free speech and political protest. This measure recognizes the cultural and historical significance of the Hawaiian flag and prohibits housing corporations and associations from imposing blanket bans on its display.

Your Committee acknowledges the concern raised in testimony that the height of the flag may be too high and the size of the flag may be too large to be safe in certain circumstances. Accordingly, amendments to this measure are necessary to address this concern.

Your Committee has amended this measure by:

- (1) Specifying that the substantial interest that cooperative housing corporations, planned community associations, and condominium associations may protect by establishing reasonable restrictions be a documented substantial interest;
- (2) Inserting language to specify that cooperative housing corporations, planned community associations, and condominium associations may impose stricter size restrictions on Hawaiian flag displays or eliminate the flagpole or have its height lowered if the documented substantial interest is related to health or safety; and
- (3) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2795, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2795, S.D. 2.



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

Karl Rhoads

KARL RHOADS, Chair



