

Honolulu, Hawaii

, 2026

**APR 09**

RE: S.B. No. 3142  
S.D. 2  
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. 3142, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DANGEROUS INTOXICATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the offenses of dangerous intoxication and habitual dangerous intoxication;
- (2) Authorize the use of civil protective custody and transport for emergency examination in lieu of arrest for dangerous intoxication in specified circumstances; and
- (3) Require probation with mandatory substance use disorder treatment for persons convicted of habitual dangerous intoxication.

Your Committee received testimony in support of this measure from the Office of the Governor; Department of the Attorney General; Department of Corrections and Rehabilitation; Department of Law Enforcement; Department of Health; Department of Human Services; Office of Wellness and Resilience; Department of the



Prosecuting Attorney of the County of Maui; Hawai'i Psychological Association; and Institute for Human Services, Inc. Your Committee received testimony in opposition to this measure from the Office of the Public Defender; ACLU Hawai'i; and one individual. Your Committee received comments on this measure from the State Council on Mental Health; Honolulu Police Department; Hawaii Substance Abuse Coalition; Aloha Independent Living Hawaii; and The Queen's Health Systems.

Your Committee finds that individuals who are severely impaired by alcohol or drugs while on public property may pose risks to themselves and others. Your Committee further finds that a framework emphasizing civil protective custody, medical evaluation, and treatment for repeat conduct, rather than arrest, supports public safety and appropriate intervention.

Your Committee has amended this measure by:

- (1) Amending the elements of the offense of dangerous intoxication;
- (2) Clarifying procedures applicable to civil protective custody, including specifying that individuals placed into civil protective custody shall be transported in accordance with existing statutory requirements for emergency transportation initiated by a law enforcement officer;
- (3) Deleting the definition of "substance" under the offense of dangerous intoxication, as that definition is not necessary;
- (4) Changing the delayed implementation date to one year after the effective date of this measure;
- (5) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (6) 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. 3142, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3142, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

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

A handwritten signature in black ink, reading "David Tarnas". The signature is written in a cursive, flowing style with a large initial "D".

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DAVID A. TARNAS, Chair



