

STAND. COM. REP. NO.

3535

Honolulu, Hawaii

APR 08 2026

RE: S.R. No. 165

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.R. No. 165 entitled:

"SENATE RESOLUTION REQUESTING THE HAWAI'I CIVIL RIGHTS COMMISSION TO EXAMINE THE APPLICABILITY OF EXISTING STATE ANTI-DISCRIMINATION LAWS TO ALGORITHMIC AND AUTOMATED DECISION SYSTEMS,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Hawaii Civil Rights Commission to examine the applicability of existing state anti-discrimination laws to algorithmic and automated decision systems.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committee finds that the State has a longstanding commitment to protecting individuals from discrimination in employment, housing, public accommodations, credit, and access to state and county services. Algorithmic and automated decision systems, including artificial intelligence tools, are increasingly used to make decisions in these areas that are traditionally protected by anti-discrimination laws. Research and national experience suggest, however, that these systems may replicate,



amplify, or obscure patterns of discrimination, especially when these systems are built upon biased data or opaque modeling practices or lack of sufficient oversight. Discrimination arising from algorithmic and automated decision systems may present novel jurisdictional, evidentiary, and enforcement questions under the State's existing civil rights statutes. This measure will support the consistent application of the State's anti-discrimination law to uphold fairness, equal protection, and public confidence in government.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 165 and recommends its adoption.

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



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KARL RHOADS, Chair



The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SR 165</b>	Committee Referral: <b>JDC</b>	Date: <b>4/2/26</b>		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	<b>5</b>	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink File with Committee Report     Committee     Drafting Agency				

\*Only one measure per Record of Votes