



The Judiciary, State of Hawai‘i
‘Oihana Ho‘okolokolo, Moku‘āina ‘o Hawai‘i

Testimony to the Thirty-Third State Legislature, 2026 Regular Session
Hō‘ike Mana‘o i ka ‘Aha‘ōlelo Kau Kānāwai Kānākolukūmākolu, 2026 Kau Ma‘amau

Senate Committee on Judiciary • Kōmike Kenekoa no ka Ho‘okolokolo
Senator Karl Rhoads, Chair • Kenekoa Karl Rhoads, Luna Ho‘omalū
Senator Mike Gabbard, Vice Chair • Kenekoa Mike Gabbard, Hope Luna Ho‘omalū

Tuesday, April 7, 2026, 10:15 a.m. • Pō‘alua, ‘Apelila 7, 2026, 10:15 a.m.
Conference Room 016 & Videoconference • Lumi Kūkā Kama‘ilio 016 & Kūkā Kama‘ilio Wikiō

by • na
Johanna K. Chock-Tam
‘Ōlelo Hawai‘i Program Administrator • Kuhikuhina ‘Ōlelo Hawai‘i

Bill Number and Title • Helu a me Inoa Pila: House Bill 2433, House Draft 1, Relating to the Hawaiian Language

Purpose • Kumuhana: Requires that priority be given to the language of a law that aligns with the intent of the Legislature if there is a difference between the English and Hawaiian versions of the law that is material to its interpretation. Effective 7/1/3000.

Judiciary’s Position • Ka Mana‘o o ka ‘Oihana Ho‘okolokolo:

Kāko‘o piha ka ‘Oihana Ho‘okolokolo i Pila o ka Hale o nā Luna Maka‘āinana 2433, Kāmua Hale 1, a mahalo i ke kāko‘o mau a ka ‘Aha‘ōlelo Kau Kānāwai i ka ho‘oki‘eki‘e ‘ana i ka ‘Ōlelo Hawai‘i ma ke ‘ano he ‘ōlelo kūhelu o ka moku‘āina.

Ho‘okumu ‘o HB2433 HD1 i ke ki‘ina moakāka a kā‘oko‘a no ka ho‘oholo ‘ana i ka mana ‘ōlelo o kekahi kānāwai inā ‘oko‘a ka ‘Ōlelo Pelekania me ka ‘Ōlelo Hawai‘i. Kāpae kēia pila i ke koho puni kānāwai i ka mana ‘Ōlelo Pelekania a pani hakahaka me ke ki‘ina i kau nui ai i ke kumu mana‘o o ka ‘Aha‘ōlelo Kau Kānāwai, e mālama ana i nā ‘ōlelo ‘elua me ka ho‘ohanohano kūlike ‘oiai e hō‘oia ana i ka moakāka a me ke kūpa‘a i ka wehewehe kānāwai.



Ho‘ohālikelike kēia hanana me ke kumu pa‘a o ka ‘ōnaehana kānāwai, ‘o ia ho‘i kau ‘ia ka wehewehena kānāwai ma ke kumu mana‘o o ka ‘Aha‘ōlelo Kau Kānāwai.

Ho‘okūlike kēia ki‘ina iā Hawai‘i me nā ‘āina ‘ē a‘e me nā ‘ōnaehana ‘ōlelo pālua. ‘O ia ho‘i, ma ka Official Languages Act, like ka mana o nā mana ‘Ōlelo Pelekania a me ka ‘Ōlelo Palani, a ho‘omākalakala nā ‘aha ho‘okolokolo i nā ‘oko‘a ma o ka ‘imi ‘ana i ka mana‘o e kūlike loa me ke kumu mana‘o o ka ‘Aha‘ōlelo Kau Kānāwai. Nānā iā Official Languages Act (R.S.C., 1985, c. 31), ss 13-16; R. v. Daoust, 2004 SCC 6. Ua kāko‘o kēia kahua i kekahi ‘ōnaehana ‘ōlelo pālua pa‘a a maika‘i no nā makahiki he nui, e hō‘ike ana hiki i nā hoa ‘ōlelo kūhelu ke noho pū me ka maika‘i ke alaka‘i ‘ia me nā lula wehewehe moakāka.

‘Āpono ‘o HB2433 HD1 i kēia ki‘ina i hō‘oia ‘ia. Ho‘onoho kēia pila i ka ana kūpa‘a a ma‘alahi ke ho‘okō ‘ia, a ‘āpono i ke koi kumu kānāwai no ka paepae ‘ana i ka ‘Ōlelo Hawai‘i, hō‘oia i ka mālama ‘ia ‘ana o nā kānāwai ‘Ōlelo Hawai‘i me ka hiehie like, ho‘opakele i ka mahalo pāpa‘u wale me ‘ole ka hua maoli, a kāko‘o i nā hana kākau ‘ōlelo pālua o ka wā i hala a me ka wā e hiki mai ana.

Kāko‘o piha ka ‘Oihana Ho‘okolokolo i Pila o ka Hale o nā Luna Maka‘āinana 2433, Kāmua Hale 1, a mahalo i ke kaupona o ka kōmike i kēia pila ko‘iko‘i.

* * * * *

The Judiciary strongly supports House Bill 2433, House Draft 1, and appreciates the Legislature’s continued commitment to uplifting ‘Ōlelo Hawai‘i as a co-official language of the State.

HB2433 HD1 establishes a clear and neutral method for determining which language version of a law should control when the English and Hawaiian texts differ. The measure removes the existing statutory preference for the English version and replaces it with an intent-based standard that treats both languages with equal dignity while ensuring clarity and long-term stability in statutory interpretation. This standard reflects the longstanding principle that statutory meaning is grounded in legislative intent.

This approach aligns Hawai‘i with other jurisdictions that operate within bilingual legal frameworks. For example, Canada’s Official Languages Act provides that English and French versions of federal statutes are equally authoritative, and courts resolve discrepancies by identifying the meaning that best reflects legislative intent. See Official Languages Act (R.S.C., 1985, c. 31), ss 13-16; R. v. Daoust, 2004 SCC 6. These principles have supported a well-functioning bilingual system for decades, demonstrating that co-official languages can coexist effectively when guided by clear interpretive rules.

HB2433 HD1 adopts this proven model. It provides a consistent and administrable standard, affirms the constitutional mandate to promote ‘Ōlelo Hawai‘i, ensures that Hawaiian



House Bill 2433, House Draft 1 Relating to the Hawaiian Language
Senate Committee on Judiciary
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language laws are treated with equal dignity, avoids symbolic recognition without practical effect, and supports both past and future bilingual drafting initiatives.

The Judiciary strongly supports House Bill 2433, House Draft 1, and appreciates the committee's thoughtful consideration of this important measure.



OFFICE OF HAWAIIAN AFFAIRS

‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai

TESTIMONY WITH COMMENTS FOR HOUSE BILL 2433 HD1
RELATING TO THE HAWAIIAN LANGUAGE

Ke Kōmike ‘Aha Kenekoa o ka Ho‘okolokolo
(Senate Committee on Judiciary)

Ke Kapikala o Hawai‘i
(Hawai‘i State Capitol)

‘Apelila 7, 2026

10:15AM

Lumi 016

Aloha e Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary:

The Office of Hawaiian Affairs (OHA) offers **COMMENTS** for **HB2433 HD1**, which would require that when there is a difference between the ‘Ōlelo Hawai‘i and English versions of a law, priority shall be given to the language that aligns with legislative intent. OHA commends the intent and purpose of this measure but is concerned that amendments made in the previous committee removes the “teeth” of the bill to support the ‘Ōlelo Hawai‘i as a true official State language.

‘Ōlelo Hawai‘i speakers continue to face significant challenges in their efforts to increase and normalize the use of ‘Ōlelo Hawai‘i in public spaces and communities. Article XII, section 4 of the Hawai‘i State Constitution establishes ‘Ōlelo Hawai‘i as an official state language, in recognition of the decades of systemic oppression that led to the unjust and often racially-motivated marginalization of the Native Hawaiian language, culture, and people.

However, the full spirit and intent of this Constitutional mandate has yet to be realized, as ‘Ōlelo Hawai‘i speakers continue to face significant impediments to speaking their language even in fundamental civic settings. For example, in 1994, a federal district court judge denied an ‘Ōlelo Hawai‘i speaker the opportunity to express himself in ‘Ōlelo Hawai‘i during a deposition.¹ Naturally, this judicial restriction significantly undermined the designation of ‘Ōlelo Hawai‘i as an official language of the State, and as recently as 2018, this case was cited as persuasive precedent by a Maui

¹ *Tagupa v. Odo*, 843 F. Supp. 630 (D. Haw. 1994).

district court judge to deny another ‘Ōlelo Hawai‘i speaker the right to use his ‘Ōlelo makuahine (mother tongue) before the court. Effectively compelling ‘Ōlelo Hawai‘i speakers to speak English, such cases stand in contravention to the mandates, policies, and intent of various laws and other documents, including Article XII, section 4 of the Hawai‘i State Constitution; HRS § 1-13; the Native American Languages Act (NALA) of 1990;² and Article 13 of the United Nations Declaration on the Rights of Indigenous Peoples.³

The active favoring of English over ‘Ōlelo Hawai‘i is not only isolated to the court system; it is also rooted in a history of systemic oppression that must be acknowledged, repudiated, and rectified. Notably, ‘Ōlelo Hawai‘i was the first language of Hawai‘i’s legislative, executive, and judicial branches. Many would also be surprised to know that “Hawai‘i published its laws in both Hawaiian and English until 1943.”⁴ However, policies such as the 1896 law prohibiting ‘Ōlelo Hawai‘i and requiring English to be the medium of instruction in public and private schools, the Organic Act’s subsequent mandate requiring that all legislative proceedings be conducted in English only, and a 1943 statute abolishing the practice of publishing laws in ‘Ōlelo Hawai‘i. reflect an ongoing historical movement to suppress the use of ‘Ōlelo Hawai‘i in both social and civic arenas. As illustrated by the aforementioned court cases, the legacy of systemic linguistic oppression lives on to this day; as noted in this measure, existing statutory language even explicitly states that “Hawaiian *shall not* be required for public acts and transactions” (emphasis added).⁵

For the reasons stated above, OHA respectfully urges this committee to consider our concerns as we work towards giving long-overdue “teeth” to the Constitutional vision of ‘Ōlelo Hawai‘i as a true, meaningful official language of the State.

E ola nō ka ‘Ōlelo Hawai‘i! Mahalo nui for the opportunity to testify on this critical issue.

² *Codified as* 25 U.S.C.A. §§ 2901-2906 (1990).

³ UNDRIP Art. 13, Right to Language.

⁴ Paul F. Nahoia Lucas, *E Ola Mau Kākou I ka ‘Ōlelo Makuahine: Hawaiian Language Policy and the Courts*, Hwn J. Hist. 4 (2000).

⁵ HRS § 1-13.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Judiciary
April 7, 2026 at 10:15 a.m.

By

Bonnie Irwin

Chancellor

University of Hawai'i at Hilo

HB 2433 HD1 – RELATING TO THE HAWAIIAN LANGUAGE.

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The University of Hawai'i at Hilo (UH Hilo) submits testimony in **support with amendments** of HB 2433 HD1.

UH Hilo supports the core purpose of this measure and appreciates the House Committee on Judiciary and Hawaiian Affairs' thoughtful response to concerns raised by the State Judiciary. We understand that a text-origin approach may present administrative challenges when information about a law's drafting history is not consistently available, and that turning to legislative intent—as evidenced by legislative history, context, and purpose—offers a more workable and durable standard. We can support the HD 1 language on that basis.

However, **we respectfully flag one concern with HD1 as amended**: the proposed change to HRS §1-13 that would replace “English and Hawaiian **are** the official languages of Hawaii” with “English and Hawaiian **shall be** the official languages of Hawaii.” Hawai'i State Constitution Article XV, Section 4—adopted at the 1978 Constitutional Convention—already establishes that “English and Hawaiian shall be the official languages of Hawaii.” Current HRS §1-13 appropriately reflects this reality in the present tense, acknowledging what has been constitutionally true since 1978. We are concerned it could create unintended ambiguity about the settled status of Hawaiian as an official language. We respectfully recommend retaining the current “are” language in HRS §1-13.

UH Hilo is proud to house Ka Haka 'Ula o Ke'elikōlani, the Hawaiian Language College, and to serve a large community of Hawaiian language scholars, students, and practitioners. We strongly support the bill's underlying commitment to honoring the cultural and legal significance of 'ōlelo Hawai'i, and we urge passage of HB 2433 HD1, with the amendment noted above.

Mahalo for your consideration.

LATE



April 7, 2026

TESTIMONY OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS
To the Senate Committee on Judiciary
In Support of

HB 2433 HD1 - RELATING TO THE HAWAIIAN LANGUAGE

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the committee:

The Association of Hawaiian Civic Clubs submits testimony in **STRONG SUPPORT** of HB2433 HD1 Relating to the Hawaiian Language which would require that priority be given to the language of a law that aligns with the intent of the Legislature of there is a difference between the Hawaiian and English versions of the law that is material to its interpretation.

The mission of the Association of Hawaiian Civic Clubs is to effectively advocate for the educational, civic, health, cultural, economic, and social well-being of our lāhui. This includes supporting efforts to preserve, revitalize, and promote normalization of ‘ōlelo Hawai‘i in our homeland and drive and inspire language growth to ensure a living language in Hawai‘i and beyond.

The Constitution of the State of Hawai‘i recognizes both Hawaiian and English as official languages of the State. HB 2433 HD1 helps give effect to that constitutional recognition by ensuring that Hawaiian-language law is given appropriate consideration when interpreting state statutes. In doing so, the bill supports the State in meeting its responsibility to recognize and uphold ‘Ōlelo Hawai‘i as an official language of government and reinforces the normalization of its use in public life.

Supporting the thoughtful interpretation and continued development of Hawaiian-language law also aligns with broader community efforts to expand the use of ‘Ōlelo Hawai‘i in education,

governance, and daily life. Strengthening the role of Hawaiian in the law helps ensure that the language continues to thrive for future generations.

Founded by Prince Kūhiō in 1918, the Hawaiian Civic Club movement is the oldest Native Hawaiian community-based advocacy movement. The Association of Hawaiian Civic Clubs is a not-for-profit organization that is a confederation of 61 individual and autonomous Hawaiian Civic Clubs and 3,000 members located across Hawai‘i and across the continental United States.

We appreciate your favorable consideration of this measure.

HB-2433-HD-1

Submitted on: 4/5/2026 1:48:54 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Kahn	Individual	Support	Written Testimony Only

Comments:

Aloha JDC committee members,

My name is Greg Kahn, I live on Molokai, and I am testifying in support of HB2433.

In tandem with the measure's stated intent, I would like to address the cultural component as an inclusion in this discussion.

The quest to revive the Hawaiian language rectifies a long-suppressed part of Hawaiian culture, where spoken and written uses were systematically eliminated in everyday life. Hawaiian is now one of the two recognized languages given official status within the State of Hawaii.

The scope of this language revival permeates all walk of life. The Hawaiian language is recognized by the United Nations, UNESCO, the U.S Department of the Interior, the U.S Department of Education, the UH system, immersion schools, and Google Global Translation Services. Several colleges and universities--such as Harvard--accept Hawaiian to fulfill the undergraduate foreign language requirement. The Hawaiian State Judiciary allows the use of Hawaiian in court. Its ubiquitousness even includes financial institutions such as Bank of Hawaii offering the Hawaiian language option on its ATM screens.

My point is, considering the growing number of arenas that are embracing the use of the Hawaiian language in everyday life, it's really not that farfetched to factor this cultural significance into the discussion of this bill.

As the survival of culture depends on valuing the language, the Hawaiian language revitalization validates a way of life. HB2433 will act in concert with all of my aforementioned examples of this revival of both language and culture.

Mahalo for your time,

Greg Kahn

Molokai

HB-2433-HD-1

Submitted on: 4/5/2026 10:59:04 PM

Testimony for JDC on 4/7/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Dana Revilla	Individual	Support	Written Testimony Only

Comments:

H.B. NO. 2433, RELATING TO THE HAWAIIAN LANGUAGE.

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Date: April 7, 2026

10:15 a.m. Conference Room 016

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

Aloha mai kākou. My name is Dana Revilla, and I am a Native Hawaiian. I am testifying in strong support of HB2433 HD1.

As a Native Hawaiian, I am passionate about ‘Ōlelo Hawai‘i and our culture. The legislation corrects the longstanding problem of English language prevailing over the official Hawaiian language in cases of ambiguity in law, thereby ensuring that the intent of the Legislature is upheld in both the English and Hawaiian versions of a statute. The Hawaiian language is an official language of the State of Hawaii and should be treated as such.

Growing up Native Hawaiian, I heard stories from my ‘ohana about how our kūpuna were punished for speaking Hawaiian. That harm stayed with our families for generations. Even today, I see how our language is sometimes treated as decorative instead of a real, working language. I have seen Hawaiian translations ignored, even when they carry important cultural meaning that the English version does not. At the same time, I have also seen the strength of our language returning through immersion schools, community programs, and people choosing to ‘Ōlelo Hawai‘i. This bill supports that ongoing healing.

I am testifying because how we treat ‘Ōlelo Hawai‘i is how we treat the people of Hawai‘i. The continued neglect of the Hawaiian version of our laws has caused harm to our kūpuna and their ‘ohana. Giving the Hawaiian version of our laws the weight and respect that it deserves is in harmony with our culture, history, and values that are special to our islands. Let us continue to honor ‘Ōlelo Hawai‘i so it can remain healthy and revered by our keiki and support the continued growth and respect of our language for future generations.

HB2433 HD1 will ensure that our legislation is translated into the official languages of English and Hawaiian in a form that best conveys the legislation's intent. This bill is consistent with the emerging national and world trend of restoring and preserving Indigenous languages. I urge the Legislature to support this measure to recognize and uplift 'Ōlelo Hawai'i in all areas of government.

Mahalo to Chair Tarnas and members of the Committee for taking the time to hear my mana'o. I hope you will support HB2433 HD1 and continue honoring the language and culture that make Hawai'i unique.

Me Ka Ha'aha'a,

Dana A. Revilla