

ACLU OF HAWAIʻI
2026 LEGISLATIVE WRAP-UP REPORT

Aloha mai kākou,

This session, the ACLU of Hawaiʻi fought to advance due process and civil liberties across a wide range of issues, anchored by our top priorities: bail reform, immigrant justice, and gender equity. We are grateful to the coalitions, partners, and community members who stood with us in that fight. The 2026 session delivered hard-won victories, tested us with difficult losses, and opened new paths for meaningful policy change in Hawaiʻi. As threats to our democracy grow, so does the urgency of this work.

Every year, we start from zero and raise funds to continue our work and keep our staff. Last year, membership gifts accounted for much of the total funding support we received to keep our work going. We hope you will stand with us in the sessions ahead as we build the policies that safeguard our freedoms and hold the line against authoritarianism.

Become a member or volunteer at acluhi.org/action and follow us on social media @acluhawaii to stay connected.

Mahalo,
Mandy Fernandes, Policy Director

ACLU Hawai‘i

ACLU Hawai‘i Legislative Wrap-Up Report 2026
is a report by the ACLU of Hawai‘i.

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COALITIONS BUILD COMMUNITY

The ACLU of Hawai'i participated in a number of issue-focused coalitions this year. Here is a highlight of our ongoing relationships in the form of community coalitions that advocated for important legislation this session.

2026 CAMPAIGN FOR IMMIGRANT JUSTICE

The Campaign for Immigrant Justice is a statewide effort to advance policies that protect and defend due process for all. We joined the Hawai'i Coalition for Immigrants Rights and The Legal Clinic Hawai'i to create and advance a legislative package that included a No Secret Police bill to ban law enforcement masking, strengthen sensitive location protections, commit to noncooperation between local law enforcement and federal immigration enforcement, and reforming sentencing to reduce immigration consequences.

CAMPAIGN FOR IMMIGRANT JUSTICE
DEFENDING DUE PROCESS FOR ALL



HAWAI'I SHIELD LAW HUI

We joined a coalition of organizations committed to adding gender-affirming care protections to Hawaii's existing shield law. This coalition included the Stonewall Caucus of the Democratic Party of Hawai'i, Pride at Work Hawai'i, Planned Parenthood Alliance Advocates, Hawai'i Health and Harm Reduction Center, PFLAG Hawai'i, Hawai'i Public Health Institute, Indivisible Hawai'i, Common Cause HI, Lei Pua 'Ala Queer Histories of Hawai'i, Trans Military Hub, Kumukahi Health + Wellness, and various faith leaders.

REIMAGINING PUBLIC SAFETY (RPS) HAWAI'I COALITION

RPS is a diverse group of Hawai'i-based organizations and everyday residents that bring both lived experience and expertise from a range of sectors. The coalition seeks to transform Hawaii's public safety system by collectively shifting from policing and incarceration towards intersectional, public health, and wellness-based approaches to community safety. RPS advocates for policies to increase non-police first responders, diversion programs, and solutions that address the root causes of poverty and crime.

REIMAGINING PUBLIC SAFETY HAWAI'I COALITION

COMMUNITY ENGAGEMENT SNAPSHOT



TABLING & LOBBY DAYS



Hawaiian Day at the Capitol - Feb. 13, 2026
Presented by the Legislative Native Hawaiian Caucus in partnership with the Office of Hawaiian Affairs and Hawaiian Council

People Power at the Capitol - Mar. 19, 2026
In partnership with Hawai'i Coalition for Immigrants Rights, The Legal Clinic Hawai'i, Hawai'i Tax Fairness Coalition, and Indivisible Hawai'i

PANELS

Police Accountability in Hawai'i: Building True and Meaningful Community Safety - Jan. 15, 2026 (Watch Recording)
In partnership with the Policing Project at NYU School of Law

Queer Day at the Capitol - Healthcare, Not Politics: The Case for Gender-Affirming Care - Feb. 17, 2026 (Watch Recording)
Organized by Hawai'i Health and Harm Reduction Center

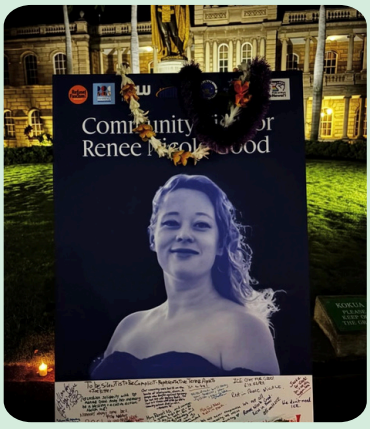
Queer Day at the Capitol - From Policy to Protection: Defending Queer Lives Against Federal Attacks - Feb. 17, 2026 (Watch Recording)
Organized by ACLU of Hawai'i



COMMUNITY VIGILS

Community Vigil for Renée Nicole Good - Jan. 9, 2026
In partnership with Indivisible Hawai'i, Refuse Fascism Hawai'i, Hawai'i Coalition for Immigrants Rights, Hawai'i Workers Center, Common Cause Hawai'i, Pride at Work Hawai'i

Aloha for Alex: A Time for Remembrance and Action - Jan. 27, 2026
Co-hosted with Hawai'i Coalition for Immigrants Rights and The Legal Clinic (Campaign for Immigrant Justice)



CRIMINAL LAW REFORM



FIGHTING FOR A MORE JUST CRIMINAL LEGAL SYSTEM

Most conventional approaches to public safety make us less safe, while failing to address community needs and/or root causes of crime. While ACLU-HI firmly supports better conditions for incarcerated people, we cannot let the state continue to use it as an excuse to spend hundreds of millions of dollars on a new jail, needlessly incarcerating thousands of people in Hawai'i and on the continent. Implementing smart changes to our penal code—especially our pretrial system—will decrease reliance on jails and avoid separating people from their families.

BAIL REFORM

HB1516 BAIL REFORM
(FAILED FLOOR VOTE - SUPPORTED)
Requires certain factors to be considered when determining a defendant's financial ability to afford bail.

HB2413 LEAST RESTRICTIVE BAIL
(FAILED FLOOR VOTE - SUPPORTED)
Requires release on recognizance for defendants charged with violations, traffic offenses, nonviolent petty misdemeanors, nonviolent misdemeanors, and nonviolent class C felonies, subject to conditions. Establishes exclusions for specified offenses, threats to public safety, and certain other circumstances. Requires findings when bail or detention is imposed, ongoing review of continued detention or conditions, and a prompt hearing if bail cannot be posted. Requires prosecutors to notify victims of pretrial decisions.

FINES AND FEES

HB1626 YOUTH FINES & FEES
(NO JDC HEARING - SUPPORTED)
Prohibits the assessment of any fees, fines, or court costs against a person who was adjudicated for an offense committed during the person's minority, or against the person's parent or guardian, and discharges all related debt obligations assessed before the effective date of the Act. Encourages the use of community service and other programs that employ 'āina-based principles.

HB676 FREE PRISON PHONE CALLS
(NO CPC HEARING - SUPPORTED)
Requires the State's youth and adult correctional facilities to provide free and accessible voice communication services for incarcerated persons in state correctional facilities. Prohibits any state agency from deriving revenue or financial benefit from the provision of communication services to persons confined in state correctional facilities. Requires the Public Utilities Commission to establish service quality standards and rules for the free voice communication services.

HB1524 REDUCED PEDESTRIAN FINES
(DIED IN CONFERENCE - SUPPORTED)
Establishes that fines for pedestrian violations under chapter 291C, Hawai'i Revised Statutes, shall not exceed $25. Requires state and county agencies to revise applicable schedules of fines, rules, and procedures to comply with the monetary limit.

CRIMINAL LAW REFORM



FIGHTING FOR A MORE JUST CRIMINAL LEGAL SYSTEM

SB2730 CITATIONS IN LIEU OF ARREST
(DIED IN CONFERENCE - SUPPORTED)
Establishes factors under which officers may arrest and detain persons without a warrant for petty misdemeanors and violations, and requires officers to document the justification for the arrests. Amends the circumstances under which officers may issue citations in lieu of arrest. Requires officers to issue citations in lieu of arrest for certain petty misdemeanors and violations, unless public safety or flight risks are present or the alleged offense involves operating a vehicle under the influence of an intoxicant or the abuse of family or household members. Requires the Judiciary to promulgate a standardized citation form and updates the required information for citations.

HB1627 / SB2749 ALTERNATIVE SENTENCING
(DEFERRED - SUPPORTED)
Amends repeat offender sentencing provisions to allow sentencing courts, under certain circumstances, to sentence defendants in class C felony cases to probation with appropriate terms and conditions.

SB2325 JUVENILE MODIFIED SENTENCING
(DEFERRED - SUPPORTED)
Authorizes a court to modify sentences imposed on juvenile offenders if certain conditions are met and the court finds that, after considering certain factors, the defendant is not a danger to the safety of any person or the community and the modification is in the interests of justice.

SB2457 CIVIL ASSET FORFEITURE
(NO WAM HEARING - SUPPORTED)
Amends forfeiture laws to require the owner of property seized in relation to a crime to be convicted of the covered offense before the property may be forfeited.

SB3142 DANGEROUS HABITUAL INTOXICATION
(DIED IN CONFERENCE - OPPOSED)
Establishes the offenses of dangerous intoxication and habitual dangerous intoxication. Provides for civil protective custody and transport for emergency examination in lieu of arrest for dangerous intoxication in specified circumstances, and bars prosecution when civil protective custody is used. Requires probation with mandatory treatment for habitual dangerous intoxication, with incarceration only upon probation violation. Makes conforming amendments to chapter 334, HRS, relating to admission to psychiatric facilities and assisted community treatment.

HB2279 ARREST EXPUNGEMENT
(PASSED - SUPPORTED)
Amends the expungement orders law to reflect that a person who is arrested for or charged with a crime but convicted of a violation is eligible for an expungement of their arrest record for that incident.

CRIMINAL LAW REFORM



TRANSPARENCY FOR LAW ENFORCEMENT & CORRECTIONS

HB1790 LAW ENFORCEMENT DATA COLLECTION
(NO PSM HEARING - SUPPORTED)
Establishes the Hawai'i Center for Policing and Criminal Justice Research within the Social Science Research Institute, College of Social Sciences, University of Hawai'i at Mānoa to house the Hawai'i Crime Lab. Requires law enforcement agencies and law enforcement oversight agencies to collect and report certain data regarding law enforcement stops, uses of force, and complaints to the Hawai'i Crime Lab. Requires the Hawai'i Crime Lab to collect and publish incident-level information and an annual report on the data collected. Requires the Department of the Attorney General to adopt rules, in coordination with the Hawai'i Crime Lab, Office of Hawaiian Affairs, and any community advisory boards.

HB2078 / ACT 155 HABITUAL VIOLENT CRIME DATA COLLECTION
(PASSED - COMMENTS)
Requires the Attorney General, in consultation with the Criminal Justice Research Institute, to submit ongoing annual reports to the Legislature on the effectiveness of the habitual violent crime offense in addressing repeat violent crime in the State. Amends Act 213, SLH 2024, which established the offense of habitual violent crime, by requiring the Criminal Justice Research Institute to submit a one-time report to the Legislature on the effectiveness of the offense prior to the Regular Session of 2031 and extending its sunset date to 6/30/2031.

SB2030 CORRECTIONAL OFFICER BODY CAMERAS
(NO WAM HEARING - SUPPORTED)
Appropriates funds to the Department of Corrections and Rehabilitation for purchasing body cameras for adult correctional officers to wear while on duty at state correctional facilities, beginning on or after 7/1/2027.

SB2146 TRAFFIC FINES TASK FORCE
(DIED IN CONFERENCE - SUPPORT)
Establishes a Traffic Fines Task Force that will examine the Finnish tiered traffic fines system, determine whether a similar system could be implemented in the State, and provide recommendations as to how a system could best be implemented.

CRIMINAL LAW REFORM

SMART JUSTICE

Our criminal legal policies and practices have fueled a system of mass incarceration that hurts our communities and disproportionately harms low-income families and communities of color. Too many of our neighbors are ensnared in a severely overcrowded carceral system. Existing tough-on-crime policies have failed to achieve community safety, while putting an unprecedented number of people behind bars and violating constitutional rights. This system erodes economic opportunity and family stability, and criminal records create barriers to success long after a person has served their time.

Our Smart Justice Campaign focuses on reducing the number of people in our jails and prisons by 50% and reducing racial disparities in our criminal legal system. We achieve these outcomes by addressing the root causes of crime and investing in what makes us safe - supportive housing, health care, drug treatment, education, after school programs for youth, job opportunities, living wages, and strengthened families and communities. This solutions-driven approach will unclog courtrooms and overcrowded jails and prisons, reduce crime and recidivism, and help people become contributing members of communities.

HB1769 RETURN OUT-OF-STATE PRISONERS (DIED IN CONFERENCE - SUPPORTED)

Requires the Director of Corrections and Rehabilitation to incrementally return committed incarcerated people in private, out-of-state correctional institutions to in-state correctional facilities.

HB1628 / SB2688 COMPASSIONATE RELEASE (DIED IN CONFERENCE - SUPPORTED)

Establishes a protocol for compassionate release for certain ill or seriously debilitated incarcerated persons. Establishes a temporary working group within the Department of Corrections and Rehabilitation to develop initial administrative rules to implement the protocol.

HB1518 / ACT 28 SNAP PRE-RELEASE (PASSED - SUPPORTED)

By 1/1/2028, requires the Department of Human Services, upon obtaining a federal waiver, to establish a pre-release Supplemental Nutrition Assistance Program (SNAP) application process for inmates nearing release. Allows all individuals convicted of an offense involving the possession, use, or distribution of a controlled substance to apply for SNAP benefits, regardless of treatment status.



IMMIGRANT JUSTICE



FEDERAL NON-COOPERATION

SB2054 NATIONAL GUARD DEPLOYMENT (DIED IN CONFERENCE - SUPPORTED)

Prohibits the Hawai'i National Guard from deploying to assist federal troops, federal law enforcement, or the national guard of any other state operating in Hawai'i when the Governor has objected to the deployments.

SB2057 / ACT 141 LAW ENFORCEMENT NON-COOPERATION (PASSED - SUPPORTED)

Prohibits any law enforcement agency or law enforcement official from entering into an agreement under federal law that permits state or county agencies to engage in immigration enforcement. Prohibits law enforcement agencies and law enforcement officials from engaging in certain immigration-related actions, except under limited circumstances.

364-DAY MISDEMEANOR CAP

HB1548 / ACT 143 364-DAY SENTENCING (PASSED - SUPPORTED)

Limits the maximum term of imprisonment for misdemeanors that are not crimes of violence, or for offenses that are not crimes of violence punishable by up to or not exceeding one year, to three hundred sixty-four days. Allows individuals previously sentenced to a one-year term of imprisonment for an offense that is not a crime of violence to apply to the trial court for reconsideration of the sentence to conform to the revised maximum penalty.

U OR T VISA CERTIFICATION

HB1838 / ACT 142 VISA CERTIFICATION (PASSED - SUPPORT)

Establishes uniform statewide requirements for U or T visa certifications for noncitizen victims of crime, consistent with federal law. Requires each state and county certifying entity to adopt a policy and process aligned with these statewide requirements — ensuring timely, transparent processes for survivors.





IMMIGRANT JUSTICE



Since January 2025, President Trump has been sending masked law enforcement agents into our cities to terrorize our immigrant neighbors at our courthouses, schools, churches, and hospitals. We joined the Hawai'i Coalition for Immigrant Rights and The Legal Clinic to establish the 2026 Campaign for Immigrant Justice to demand and defend due process for everyone in Hawai'i. The ACLU of Hawai'i led the charge on No Secret Police measures to prohibit law enforcement's extreme masking and concealment of identity.

VISIT THE 2026 CAMPAIGN FOR IMMIGRANT JUSTICE.

NO SECRET POLICE

While these bills received a great deal of support throughout the legislative session, they were unable to gain momentum due to the U.S. Court of Appeals Ninth Circuit ruling which held in its April 22, 2026 ruling that "[t]he supremacy clause prohibits states from enacting a law that directly regulates federal operations even if the law regulates state operations in the same manner

HB1886 LAW ENFORCEMENT NON-COOPERATION
(DIED IN CONFERENCE - SUPPORTED)
Limits state and federal civil immigration enforcement collaboration and requires visible identification, limits facial coverings, and establishes criminal offenses for violations.

SB2203 NO SECRET POLICE
(DIED IN CONFERENCE - SUPPORTED)
Establishes the offense of use of a mask or facial covering by a law enforcement officer.



HB2540 / SB3322 NO SECRET POLICE
(DIED IN CONFERENCE - SUPPORTED)
Prohibits the use of facial coverings and requires visible identification by law enforcement officers and their vehicles in the performance of their duties. Requires written agency policies on state-federal civil immigration cooperation. Prohibits law enforcement officers from prolonging a stop for civil status criminal offenses.

SB2145 RIGHT TO RECORD LAW ENFORCEMENT
(DIED IN CONFERENCE - SUPPORTED)
Establishes the right of a person to record law enforcement activities. Establishes a private right of action for any violation of the right to record law enforcement activities.

IMMIGRANT JUSTICE



STUDENT SAFETY

HB2445 DOE IMMIGRATION ENFORCEMENT RESPONSE PLAN
(DEFERRED - SUPPORTED)
Requires the Department of Education to develop, adopt, and implement a standardized emergency response plan governing immigration enforcement activity at or within one thousand feet of public schools and adopt policies and procedures to address immigration enforcement activity at certain school-related location and events.

SENSITIVE LOCATIONS

HB1870 / ACT 162 PROTECTED COMMUNITY LOCATIONS (PASSED - SUPPORTED)
By 1/1/2027, requires all state and county agencies that operate protected community locations — schools, hospitals, courthouses, libraries, shelters — to adopt and post written policies that identify nonpublic areas, establish procedures for warrant verification and staff response, prohibit the collection of certain immigration-status data, and require annual staff training and multilingual notices. Requires the Attorney General to publish model policies.

PUBLIC DEFENDER IMMIGRATION ATTORNEY

SB2919 OFFICE OF THE PUBLIC DEFENDER
(DIED IN CONFERENCE - SUPPORTED)
Appropriates funds to the Office of the Public Defender for one full-time equivalent (1.0 FTE) Deputy Public Defender III position.

TRUTH ACT

HB1839 /ACT 161 NOTIFICATION OF RIGHTS
(PASSED - SUPPORTED)
Requires state and county law enforcement to notify any individual in custody of their rights before any interview with federal immigration authorities regarding civil immigration violations can begin. Designates all records of federal immigration access to detained individuals provided by state or local agencies as public records.



GENDER EQUITY & LGBTQ+ RIGHTS

In 2025, over 1,020 anti-transgender bills were considered in the United States. The federal government is attacking transgender people's ability to simply exist in the world, from censoring information shared in schools to restricting access to life-saving care. Through executive orders in 2025 alone, the Trump administration has rejected the validity of transgender identity in law and policy, banned youth access to gender-affirming care, and even issued a proclamation labeling gender-affirming care as child abuse.

Attacks on trans people are part of a larger effort to return to rigid rules for how men and women can be in society, further erode civil rights protections, and give the government an ever-increasing role in personal decisions about our bodies and healthcare. We know that trans people have always been here. The ACLU of Hawai'i is committed to ensuring gender identity and expression are protected in the Hawai'i State Constitution.

HB1875 / ACT 59 HEALTH SHIELD LAW (PASSED - SUPPORTED)

Expands the protections established under Act 2, SLH 2023, to include gender-affirming health care services, including clarifying permitted disclosures of protected health information to address changes in federal regulations. Establishes protections against abusive litigation. Prohibits medical malpractice insurers and health carriers from taking certain adverse actions against health care providers solely on the basis that the health care provider provides lawful reproductive health care services or gender-affirming health care services.

SCR11 / SR9 CIVIL RIGHTS ACT SEX/GENDER DISCRIMINATION (PASSED - SUPPORTED)

Requests the United States Congress to pass legislation to amend the Civil Rights Act of 1964 to prohibit discrimination on the basis of sex, sexual orientation, and gender identity in employment, housing, public accommodations, education, federally funded programs, credit, and jury service.

CIVIL RIGHTS & CIVIL LIBERTIES



VOTING

SB2239 / ACT 67 OPT-OUT VOTER REGISTRATION
(PASSED - SUPPORTED)
Requires a person who applies for an identification card or driver's license to be automatically registered to vote unless the person affirmatively declines, subject to certain conditions. Requires the name and address of a person who applies for an identification card or driver's license and is registered to vote to be automatically updated on the person's voter registration record unless the person affirmatively declines.

CIVIL RIGHTS & INDIGENOUS JUSTICE

SB2055 HCRC 24-HOUR HELPLINE
(NO FIN HEARING - SUPPORTED)
Requires the Civil Rights Commission to establish a twenty-four-hour intake helpline to assist individuals who experience or witness civil rights violations in the State.

HB2473 HAWAIIAN SENSE OF PLACE RECOGNITION
(NO FIN HEARING - SUPPORTED)
Establishes the Hawaiian Sense of Place Recognition Act. Requires the Office of Planning and Sustainable Development to develop educational and outreach programs to promote understanding of the Hawaiian sense of place among residents, visitors, and public employees. Requires incorporating principles into land planning, management, and state construction projects.

SB2438 CIVIL INTERFERENCE WITH CONSTITUTIONAL & STATUTORY RIGHTS
(DIED IN CONFERENCE - SUPPORTED)
Establishes a civil cause of action for interference with constitutional and statutory rights through threats, intimidation, or coercion. Authorizes private rights of action. Authorizes actions to be brought by the Attorney General, County Corporation Counsel, or County Attorney. Authorizes injunctive relief, declaratory relief, and certain monetary relief. Includes constitutionally protected speech protections.

HB1878 DISCRIMINATION PERCEPTION
(DIED IN CONFERENCE - SUPPORT)
Prohibits discrimination based on: (1) The perception that a person possesses certain characteristics; (2) The perception that a person is associated with a person who possesses, or is perceived to possess, certain characteristics; or (3) The intersection or combination of two or more specified characteristics in relation to a person.

MENTAL HEALTH

SB2288 ASSISTED COMMUNITY TREATMENT
(DEFERRED - OPPOSED)
Clarifies the procedures for assisted community treatment, examination, and hospitalization for individuals who may be mentally ill or suffering from substance abuse who are imminently dangerous to self, others, or property.

HOUSING & HOUSELESSNESS

HOUSING

HB1776 RESIDENTIAL LANDLORD-TENANT CODE
(DIED IN CONFERENCE - SUPPORTED)
Beginning 7/1/2027, requires the Office of Consumer Protection to publish an accessible, multilingual notice of tenant rights online.

HB1777 TENANT PROTECTION WORKING GROUP
(NO WAM HEARING - SUPPORTED)
Establishes the Tenant Protection Working Group within the Hawai'i Housing Finance and Development Corporation to address certain tenant protection issues in the State. Requires the Tenant Protection Working Group to report to the Legislature.

HB2581 DEFINING EMERGENCY POWERS
(DIED IN CONFERENCE - SUPPORT & COMMENTS)
Clarifies the types of events that constitute disasters and emergencies for the purposes of emergency management. Establishes the Hawai'i Community Resilience Hub Program within the Hawai'i Emergency Management Agency to support the development of community-based resilience hubs across the State and leverage federal, philanthropic, and private-sector funding for disaster preparedness and climate resilience. Requires the Agency to identify locations on each island that can be used as state disaster response and mitigation hubs when a state of emergency is declared.

HOUSELESSNESS

HB1958 BUS STOP PROHIBITION
(NO JHA HEARING - OPPOSED)
Establishes, for a county with a population greater than three hundred thousand, enforcement procedures to prevent domiciling or storing of personal property on public property within a bus stop area, if a person does not intend to use the public transportation services.

HCR123 / HR115 HOUSELESS SOLUTIONS FOR NATIVE HAWAIIAN BENEFICIARIES
(NO HWN/HHS HEARING - SUPPORTED)
Requests the Department of Hawaiian Home Lands and Statewide Office on Homelessness and Housing Solutions to develop a coordinated support and stabilization pathway for Native Hawaiian beneficiaries experiencing homelessness or extremely low income.



DRUG POLICY & CANNABIS LEGALIZATION

Drug-related cases are the largest contributor to Hawaii's incarcerated population. Too many youth and adults are still arrested and convicted for drug possession, including marijuana. This entangles people in the criminal legal system and creates barriers to housing, jobs, and other life opportunities.

The enforcement of cannabis laws generates financial waste and worsens racial disparities. Criminalizing the personal possession or use of drugs does not fix the problem of mass incarceration. In fact, it contributes to the overcrowding of the carceral system in Hawai'i, which houses a disproportionate number of Native Hawaiians and Pacific Islanders.

DRUG POLICY

HB1550 DRUG TESTING STRIPS
(DIED IN CONFERENCE - SUPPORTED)
Exempts additional drug testing tools from the definition of drug paraphernalia under the Uniform Controlled Substances Act.

CANNABIS LEGALIZATION

SB2408 COMPASSIONATE ACCESS TO MEDICAL CANNABIS
(DIED IN CONFERENCE - COMMENTS)
Allows terminally ill patients and qualifying patients over sixty-five years of age with chronic diseases to use medical cannabis within specified health care facilities under certain conditions. Requires enforcement by the Department of Health.

SB3275 LOW-DOSE CANNABIS LEGALIZATION
(NO WAM/JDC HEARING - SUPPORTED)
Beginning 1/1/2027, legalizes low-dose and low-potency cannabis for personal adult use by persons over the age of twenty-one, including cultivation of a certain quantity of plants at a private residence. Legalizes cannabis accessories. Requires the Office of Medical Cannabis Control and Regulation to adopt rules to effectuate the legalization of low-dose and low-potency cannabis.

SB2421 RECREATIONAL ADULT USE CANNABIS LEGALIZATION
(DEFERRED - SUPPORTED)
Establishes the Hawai'i Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant. Beginning 1/1/2027, legalizes the personal adult use of cannabis. Establishes taxes on the retail sale of adult-use cannabis and the sale of medical cannabis.

ECONOMIC JUSTICE

PAID FAMILY LEAVE

HB2360 PAID FAMILY LEAVE
(NO LBT/CPN HEARING - SUPPORTED)
By 1/1/2029, requires the Department of Labor and Industrial Relations to establish a family and medical leave insurance program and begin collecting payroll contributions to finance payment of benefits. By 1/1/2030, requires the Department to begin receiving claims and paying benefits under the program. Specifies eligibility requirements and employee protections under the program. Excludes paid family and medical leave benefits from income tax.

TAXES

SB2362 TAX REITs
(NO ECD HEARING - SUPPORTED)
Requires the Department of Business, Economic Development, and Tourism to study the impacts of disallowing the dividends paid deduction for real estate investment trusts. Requires a report to the Legislature.



SB3028 CONVEYANCE TAX
(DIED IN CONFERENCE - SUPPORTED)
Restructures the conveyance tax to a marginal rate system for the sale of properties with residential use, adjusts the tax for multifamily properties to reflect value on a per-unit basis, and applies a cost-of-living adjustment to conveyance tax rates. Establishes the Transit-Oriented Development Infrastructure Subaccount within the Dwelling Unit Revolving Fund. Allocates a portion of conveyance tax collections to the Transit-Oriented Development Infrastructure Subaccount and Hawaiian Home Lands Infrastructure and Housing Special Fund. Establishes and appropriates funds out of the Hawaiian Home Lands Infrastructure and Housing Special Fund.

SB3125 / ACT 24 HIGH-END INCOME TAX REPEAL
(PASSED - SUPPORTED)
Repeals certain future adjustments to income tax brackets. Changes income tax rates. Amends the Renewable Energy Technologies Income Tax Credit by adding an aggregate cap amount, setting income thresholds, adding a certification requirement, and adding a sunset date. Adds sunset dates to the Capital Goods Excise Tax Credit and Renewable Fuels Production Tax Credit. Beginning 1/1/2028, repeals the Technology Infrastructure Renovation Tax Credit. Beginning 1/1/2029, repeals the High Technology Business Investment Tax Credit and Tax Credit for Research Activities.



Photo: Honolulu Civil Beat

2026 LEGISLATIVE SCORECARD

Bill Number	Subject Matter	Link to ACLU of Hawai'i Testimony	Status
HB322 / SB2239	Opt-Out Voter Registration	Support	ACT 67
HB676	Free Prison Phone Calls	Support	No CPC Hearing
HB1516 / SB2732	Bail Reform - Ability to Pay	Support	Failed Floor Vote
HB1518	SNAP Pre-release	Support	ACT 28
HB1524	Reduced Pedestrian Fines	Support	Died in Conference
HB1548 / SB2731	364-Day Sentencing	Support	ACT 143
HB1550	Drug Testing Strips	Support	Died in Conference
HB1626 / SB2540	Youth Fees & Fines	Support	No JDC Hearing

Bill Number	Subject Matter	Link to ACLU of Hawai'i Testimony	Status
HB1627 / SB2749	Alternative Sentencing	Support	Deferred
HB1628 / SB2688	Compassionate Release	Support	Died in Conference
HB1768	Ban 287g Agreements	Support	Died in Conference
HB1769	Return Out-of-State Prisoners	Support	Died in Conference
HB1776 / SB2347	Tenants Rights Multilingual Notice	Support	Died in Conference
HB1777 / SB2957	Tenant Protection Working Group	Support	No WAM Hearing
HB1790 / SB2729	Law Enforcement Data Collection	Support	No PSM Hearing
HB1838 / SB2873	U or T Visa Certification	Support	ACT 142
HB1839 / SB2874	Notification of Rights	Support	ACT 161
HB1870 / SB3237	Protected Community Locations	Support	ACT 162
HB1875 / SB2868	Gender Affirming Care Shield Law	Support	ACT 59

Bill Number	Subject Matter	Link to ACLU of Hawai'i Testimony	Status
HB1878 / SB2871	Perception Description Prohibition	Support	Died in Conference
HB1886	Local Law Enforcement Non-Cooperation	Support	Died in Conference
HB1958	Homeless Bus Stop Prohibition	Oppose	No JHA Hearing
HB2049	Conveyance Tax	Support	Deferred
HB2078 / SB2520	Habitual Violent Crime Data Collection	Comment	ACT 155
HB2279 / SB3098	Arrest Expungement	Support	ACT 152
HB2360	Paid Family Leave	Support	No LBT/CPN Hearing
HB2413 / SB3208	Least Restrictive Bail	Support	Failed Floor Vote
HB2445	DOE Immigration Enforcement Response Plan	Support	Deferred
HB2473	Hawaiian Sense of Place Recognition Act	Support	No FIN Hearing
HB2494	Citations in Lieu of Arrest	Support	No WAM Hearing
HB2540 / SB3322	No Secret Police	Support	Died in Conference
HB2581	Defining Emergency Powers	Support	Died in Conference

Bill Number	Subject Matter	Link to ACLU of Hawai'i Testimony	Status
HB2600 / SB2919	Public Defender Immigration Attorney	Support	Died in Conference[1]
SB2030	Body Cameras for Correctional Officers	Support	No WAM Hearing
SB2054	No National Guard Deployment	Support	Died in Conference
SB2055	HCRC 24-Hour Helpline	Support	No FIN Hearing
SB2057	Local Law Enforcement Non-Cooperation	Support	ACT 141
SB2145 / HB2539	Right to Record Law Enforcement	Support	Died in Conference
SB2146	Traffic Fines Task Force	Support	Died in Conference
SB2203	No Secret Police	Support	Died in Conference
SB2288	Expanded Assisted Community Treatment	Oppose	Deferred
SB2325	Juvenile Modified Sentencing	Support	Deferred
SB2362	Tax REITs	Support	No ECD Hearing
SB2408	Compassionate Access to Medical Cannabis	Comment	Died in Conference

1. Immigration Attorney position for the Office of the Public Defender was added in the Supplemental Budget HB1800.

Bill Number	Subject Matter	Link to ACLU of Hawai'i Testimony	Status
SB2421	Adult-Use Cannabis Legalization	Support	Deferred
SB2438	Civil Interference With Constitutional & Statutory Rights	Support	Died in Conference
SB2457	Civil Asset Forfeiture	Support	No WAM Hearing
SB2730	Citations in Lieu of Arrest	Support	Died in Conference
SB3028	Conveyance Tax	Support	Died in Conference
SB3125 / HB2306	High-End Income Tax Repeal	Support	ACT 24
SB3142 / HB2322	Dangerous Habitual Intoxication	Oppose	Died in Conference
SB3275	Low-Dose Cannabis Legalization	Support	No WAM/JDC Hearing
HCR6 / HR5	Emergency Reproductive Care	Support	No HHS Hearing
HCR32 / HR32	Formulate Plan to Create Shelters for Persons in Civil Commitment Released from the State Hospital	Comment	Adopted
HCR123 / HR115	Houseless Solutions for Native Hawaiian Beneficiaries	Support	No HWN/HHS Hearing
HCR146 / HR138	Prohibit Use of "Excited Delirium" Diagnosis	Support	No HHS Hearing

Bill Number	Subject Matter	Link to ACLU of Hawai'i Testimony	Status
HCR183 / HR173	DOE Plan for ICE Enforcement in Schools	Support	Deferred
HCR185 / HR175	No ICE Detention Centers in Hawaii	Support	No EIG/JDC Hearing
SCR7 / SR7	Emergency Reproductive Care	Support	Adopted
SCR11 / SR9	Prohibit Sex/Gender Discrimination	Support	Adopted
SCR60	DCR Breaking Cycles Update	Support	Adopted
SCR64 / SR58	Remove Cannabis from the Controlled Substances Act	Support	No JHA Hearing
SCR89 / SR84	HCSOC Recommendations on Alternative Models for Rehabilitation and Restorative Justice	Support	Adopted
SCR93 / SR88	Houseless Solutions for Native Hawaiian Beneficiaries	Support	No JHA Hearing
SCR147 / SR139	Requesting Federal Funds for Correctional Officer Salaries	Support	No JHA Hearing

STRATEGY FOR THE FIGHT AHEAD

The 2026 legislative session has ended, but our advocacy and policy work is not done.

Earlier this year, our senior staff and Board of Directors came together over several days to develop our Strategic Plan for the next three years. It seeks to advance the ACLU of Hawaii's vision in five identified strategic priorities. The 2026-2029 Strategic Plan is rooted in a theory of change grounded in the idea that lasting freedom is achieved when the law is used as a shield for the people rather than a sword for the most powerful.



Mahalo nui to our friends, allies, partners, Policy Committee members, and community members for fighting this legislative session for a more equitable and just Hawai‘i. Your testimony, calls, emails, meetings with lawmakers, social media posts, advocacy, and hard work showed the power that comes when we stand together. We extend our gratitude to these organizational partners who helped to advance collective legislative efforts:

- ACLU National
- Clean Slate Initiative
- Common Cause Hawai‘i
- Community Alliance on Prisons
- Drug Policy Forum of Hawai‘i
- Equality Caucus
- FAITH Action Equity
- Filipino Caucus
- Hawaiian Council
- Hawai‘i Alliance for Progressive Action
- Hawai‘i Alliance for Cannabis Reform
- Hawai‘i Appleseed Budget & Policy Center
- Hawai‘i Coalition for Immigrants Rights
- Hawai‘i Correctional System Oversight Commission
- Hawai‘i Health & Harm Reduction Center (HHHRC)
- Hawai‘i Friends of Restorative Justice
- Hawai‘i Public Health Institute
- Hawai‘i State Bar Association
- Hawai‘i State Judiciary
- Hawai‘i State LGBTQ+ Commission
- Hawai‘i Civil Rights Commission
- Hawai‘i Workers Center
- Indivisible Hawai‘i
- Kumukahi Health + Wellness
- Legal Aid Society of Hawai‘i
- Lei Pua ‘Ala Queer Histories of Hawai‘i
- Marijuana Policy Project
- Native Hawaiian Caucus
- Native Hawaiian Legal Corporation
- New York University Law Policing Project
- Office of the Public Defender
- Papa Ola Lōkahi
- PFLAG Hawai‘i
- Planned Parenthood Alliance Advocates
- Pride at Work Hawai‘i
- Prison Policy Initiative
- Reimagining Public Safety Coalition
- Stonewall Caucus of the DPH
- The Legal Clinic
- Trans Military Hub
- University of California Berkeley Law Policy Advocacy Clinic
- University of Hawai‘i at Mānoa
- William S. Richardson School of Law