

Hawaii

LGBTQ+ Business Climate Score

100 points
UNLIKELY RISK

79.02
LOW RISK

OUTLEADERSHIP



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The 2026 Index marks the most significant expansion in the report's history, growing from 20 to 32 indicators. The expanded framework introduces new measures including bathroom access bans, drag restrictions, DEI legislation, adult gender-affirming care, book censorship, and SOGI data collection – revealing a widening divide between inclusive and hostile states.

Color Coding



For more context around these scores, please visit outleadership.com/driving-equality/us-state-ceo-briefs/

This year's new expanded scoring system uses category-specific scales introduced in the 2026 methodology. Legacy scores are included for year-over-year comparison.

2026 Expanded Scores

Hawaii



2026 Total Legacy: 81.43/100



Legal and Nondiscrimination Protections

2026 Expanded Score: 29 possible points

Assesses laws impacting LGBTQ+ individuals, including birth certificate gender marker changes, driver's license gender marker changes, and protections in housing, employment, public accommodations, foster care, credit, and lending. Also evaluates whether states preempt local nondiscrimination laws, along with restrictions affecting access to restrooms, locker rooms, and other sex-segregated facilities and restrictions on drag performances.



2026 Legacy: 18.00/20



Youth & Family Support

2026 Expanded Score: 34 possible points

Measures how supportive states are of LGBTQ+ families, including family leave coverage for same-gender couples, second-parent adoption, foster care non-discrimination, and parental recognition for assisted reproduction. Assesses protections and resources for LGBTQ+ youth, including anti-bullying policies, bans on healthcare for transgender youth, and restrictions on transgender sports participation. Also evaluates laws related to conversion therapy for minors, students' chosen names and pronouns, and LGBTQ+ content in libraries and schools.



2026 Legacy: 17.43/20



Political and Religious Attitudes

2026 Expanded Score: **28 possible points**

Assesses the political and institutional climate surrounding LGBTQ+ rights, including **religious exemption laws** related to child welfare services, wedding services, medical care, and marriage licenses. Evaluates how **Governors and U.S. Senators** have represented and acted on LGBTQ+ equality through speeches, platforms, and legislation. Also scores states on **DEI program restrictions** affecting state agencies, public universities, and state-funded entities, as well as the actions of **State Attorneys General** related to LGBTQ+ litigation, enforcement, multistate legal actions, and challenges to DEI or LGBTQ+-inclusive practices.

25.00

LOW RISK

2026 Legacy: **18.00/20**



Health Access and Safety

2026 Expanded Score: **25 possible points**

Assesses LGBTQ+ individuals' access to **insurance and medical care**, including whether private insurance is covered by **state nondiscrimination protections**, whether **Medicaid covers transgender care**, and whether insurers are prohibited from excluding **transgender-specific care**. Evaluates whether states protect LGBTQ+ individuals through **hate crime laws** or criminalize **HIV exposure or transmission**. Also scores states on restrictions affecting **adult gender-affirming care**, including Medicaid limitations and statutory bans, as well as **shield laws** protecting patients and healthcare providers from out-of-state investigations or prosecution related to gender-affirming care.

24.00

LOW RISK

2026 Legacy: **16.00/20**



Work Environment and Employment

2026 Expanded Score: **30 possible points**

Assesses LGBTQ+ individuals' workplace experiences, including **verbal harassment, sexual assault**, and other mistreatment affecting transgender employees. Evaluates LGBTQ+ employment outcomes, including **poverty rates, unemployment, and food insecurity**. Also scores states on inclusion of **Sexual Orientation and Gender Identity (SOGI) data collection** in state surveys, whether **state governments provide LGBTQ+ inclusive employee protections and healthcare benefits**, and the alignment between **state LGBTQ+ policy environments** and the presence of **LGBTQ+ inclusive corporations** operating within the state.

21.00

LOW RISK

2026 Legacy: **12.00/20**

A Note on Methodology

The 2026 Index introduces the most significant methodological expansion since the report launched in 2019, growing from 20 to 32 indicators across five categories. Expanded scores are normalized to a 100-point scale for comparability, while legacy scores are included for year-over-year comparison. Readers are encouraged to refer to the main overview report for full methodology, scoring criteria, data sources, and category definitions.

The 12 New Indicators

New 2026 Indicators Reflecting Emerging Policy Risks

1. Bathroom and Facility Access Laws

Legal and Nondiscrimination

Measures whether states restrict transgender access to sex-segregated facilities. Nineteen states have enacted restrictions since 2023, ranging from K-12 schools to broader government-building bans. Texas's SB8 includes penalties up to \$125,000 per violation.

2. Drag Performance Restrictions

Legal and Nondiscrimination

Tracks laws restricting drag performances, regardless of ongoing litigation or enforceability.

3. Pronoun and Name

Usage Rights

Youth and Family Support

Evaluates restrictions on students' chosen names and pronouns in schools and, in some states, government employment.

4. Library and Book Access

Youth and Family Support

Measures laws restricting LGBTQ+ content in schools and libraries, or legislation protecting access. The American Library Association documented 821 censorship attempts in 2024 alone.

5. Transgender Sports Participation Access

Youth and Family Support

Tracks the scope of transgender sports participation bans. Twenty-nine states have enacted restrictions, with some extending into higher education.

6. DEI Program Restrictions

Political and Religious Attitudes

Assesses laws restricting diversity, equity, and inclusion programs. Since 2023, 28 anti-DEI bills have become law.

7. Attorney General Score

Political and Religious Attitudes

New for 2026, this indicator evaluates each state attorney general's LGBTQ+ litigation and enforcement record, from strongly supportive to actively hostile.

8. Adult Gender-Affirming Care Access

Health Access and Safety

Measures whether states restrict adult access to gender-affirming care. Eleven states currently restrict coverage.

9. Shield Laws

Health Access and Safety

Evaluates whether states protect patients and providers from out-of-state investigations or prosecution related to

gender-affirming care. Eighteen states and DC now have shield laws.

10. SOGI Data Collection in State Surveys

Work Environment and Employment

Measures whether states collect Sexual Orientation and Gender Identity (SOGI) data in state surveys. Federal SOGI collection has been significantly reduced since 2025.

11. State Government as LGBTQ+ Inclusive Employer

Work Environment and Employment

Assesses whether state governments provide LGBTQ+ protections and benefits for employees, including healthcare and nondiscrimination policies.

12. Corporate-Policy Alignment Work Environment and Employment

Measures whether a state's LGBTQ+ policy environment aligns with the inclusiveness of major corporations headquartered there. Texas, Florida, and Ohio score lowest due to tension between hostile policy and highly inclusive corporate employers.

Full methodology, scoring criteria, and definitions available at stateclimateindex.com

2026 Corporate-Policy Alignment Classifications

States are grouped into four consolidated classifications reflecting the relationship between LGBTQ+ policy environments and the presence of major LGBTQ+-inclusive employers:

Inclusive: Inclusive policy environments aligned with major LGBTQ+-inclusive employers.

Mixed: Divided alignment between policy environments and corporate presence.

Hostile, Limited Footprint: Restrictive policy environments with fewer LGBTQ+-inclusive employers.

Hostile, Major Employers (High Tension): Restrictive policy environments despite major LGBTQ+-inclusive corporate presence.

Economic Impact Snapshot: Hawaii

Metric	State Value	Source
2026 Out Leadership rank	#17 of 50	2026 Index
Corporate-Policy Alignment	Aligned Inclusive Small	2026 Index
2025 state GDP	~\$125B	Bureau of Economic Analysis, 1Q200 (April 2026)
LGBTQ+ adult population	4.6% (as of 2023)	Williams Institute
LGBTQ+ personal income (annual)	—	Williams Institute
Potential GDP gain from comprehensive ND	Already realized	Williams Institute / BEA 2025 (3%)
Worker replacement cost (general)	~\$10,410	BLS May 2024 OEWS × SHRM 20%
Worker replacement cost (executive)	~\$429,578	BLS May 2024 OEWS × SHRM 213%
Anti-LGBTQ+ bills tracked (ACLU 2025-26)	0	ACLU Legislative Tracker





Talking Points for Business Leaders in the State

- **An estimated 4.6% of adults in Hawaii identify as LGBTQ+,** representing about 59,000 LGBTQ+ people age 13 and older, including about 34,000 LGBTQ+ workers. Conservatively, that's LGBTQ+ personal income of \$2.9 billion – it's a market my business can't afford to ignore.
- When LGBTQ+ employees don't feel welcome at work, they're less likely to stay, and employee turnover is a drag on the state economy and business competitiveness. It costs companies an average of \$10,410 to replace an employee in Hawaii, and it can cost up to \$429,578 to replace senior executives. Hawaii employers have strong incentives to create inclusive workplaces.
- Hawaii's civil rights laws continue to protect LGBTQ+ people in employment, housing, and public accommodations. In 2025, the Hawaii Civil Rights Commission updated its employment rules to expressly restate that chapter 378 prohibits discrimination because of sex, including gender identity or expression and sexual orientation. That said, organizations in Hawaii still have a business imperative to ensure that LGBTQ+ people feel welcome in their workplaces.
- Hawaii remains legally protective of LGBTQ+ people, and recent state action has focused on implementation and expansion, including the Hawaii State LGBTQ+ Commission's 2025 and 2026 work and new civil rights protections enacted in 2025.
- Millennial and Gen Z consumers prefer to do business with companies with LGBTQ+ friendly advertising and policies – 54% say they're more likely to choose an LGBTQ+ inclusive brand over a competitor – which is why it's important that Hawaii continue to foster a business environment where being inclusive is supported.

Hawaii

Current Legal Status of LGBTQ+ People in Hawaii

Legal status of the Lesbian, Gay and Bisexual Community

- Hawaii continues to prohibit discrimination based on sexual orientation and gender identity or expression in employment, housing, and public accommodations.
- *The state's 2011 Safe Schools Act* also introduced specific protections against bullying and harassment based on sexual orientation and gender identity.
- State employees have long been protected from discrimination based on sexual orientation, and Hawaii's current civil rights rules continue to treat sex discrimination in employment as including gender identity or expression and sexual orientation.
- Hawaii's family law framework changed materially on January 1, 2026. Act 298 (SB 1231 HD1) modernized the Uniform Parentage Act, adopted gender neutral parentage rules, and strengthened legal recognition for LGBTQ+ families, including same gender couples, assisted reproduction, surrogacy, voluntary acknowledgements of parentage, and functional parents. Hawaii also remains a state with no child welfare religious exemption law.
- Hawaii's parentage law now provides clearer, gender neutral pathways to legal parentage, including for same-gender couples, assisted reproduction, surrogacy, voluntary acknowledgements of parentage, and functional parents.
- *Also in 2025*, Hawaii enacted Act 259 (SB 116), which creates a civil remedy for discriminatory reporting to law enforcement. The law applies when a person causes police contact on the basis of an actual or perceived protected class, including sexual orientation and gender identity or expression, with discriminatory intent. The Act took effect on September 1, 2025.
- Hawaii does not have a Religious Freedom Restoration Act. However, past state court decisions interpret the state's religious liberty protections as requiring strict scrutiny, similar to an RFRA.

- Hawaii does not criminalize knowing exposure to HIV/AIDS.
- Hawaii's hate crime protections cover sexual orientation, gender identity and gender expression.
- Conversion therapy for minors was banned in 2018. In March 2026, the U.S. Supreme Court ruled in *Chiles v. Salazar* that conversion therapy bans applied to talk therapy constitute viewpoint-based speech regulation subject to rigorous First Amendment scrutiny, casting doubt on the enforceability of existing bans nationwide and making the enactment of bans on conversion therapy even more unlikely in the near term.



Legal Status of the Transgender Community

- Hawaii law prohibits schools from discriminating against students based on gender identity. In 2025, two bills were introduced in the state House to restrict transgender student-athlete participation, but both died without receiving hearings. In January 2026, the U.S. Department of Education opened a Title IX investigation into Hawaii's public school system over its policies permitting students to compete based on gender identity rather than biological sex despite fewer than 10 transgender students competing in high school sports in Hawaii every year.
- Recent Williams Institute reporting estimates that Hawaii has the highest percentage of transgender youth in the country, at 3.6%.
- To obtain a new birth certificate with a sex designation change, a person born in Hawaii must submit a notarized affidavit from a United States licensed physician attesting that the person has had appropriate clinical treatment for gender transition and has completed the transition to the new gender. Hawaii's Department of Health doesn't require surgery.
- Hawaii has offered an "X" or "Not Specified" marker on driver's licenses and state identification cards since July 1, 2020. The Hawaii Department of Transportation says no additional documentation is required to select that option when applying for, renewing, or duplicating a credential.
- Hawaii's Medicaid program states that it does not discriminate on the basis of sex/gender expression or identity, and Hawaii law prohibits health coverage discrimination on the basis of actual or perceived gender identity. In 2025 and 2026, legislators introduced additional bills to strengthen protections for gender-affirming care and providers.
- Hawaii law prohibits health coverage discrimination on the basis of actual or perceived gender identity.
- **On December 18, 2025**, HHS Secretary Robert F. Kennedy Jr. issued a declaration asserting that gender-affirming care for minors does not meet professionally recognized standards of care, effectively threatening to exclude any provider offering such care from Medicare and Medicaid. The lawsuit was initially filed by 19 states and the District of Columbia in December 2025. Hawaii subsequently joined the coalition of states challenging the declaration through the federal lawsuit filed in the District of Oregon. In April 2026, a federal judge in the District of Oregon ruled in favor of the plaintiffs on all counts, vacating the Kennedy Declaration in its entirety and permanently enjoining HHS from enforcing it or any materially similar policy against providers in the plaintiff states. The court held that HHS violated the Administrative Procedure Act and the Medicare Act by bypassing notice-and-comment rulemaking, exceeded its statutory authority by purporting to dictate professionally recognized standards of care, and violated the terms of federally approved state Medicaid plans that cover gender-affirming care.
- Hawaii law explicitly prohibits discrimination based on gender identity in public accommodations.

Government Statements and Actions

- **On December 18, 2025**, HHS Secretary Robert F. Kennedy Jr. issued a declaration asserting that gender-affirming care for minors does not meet professionally recognized standards of care, effectively threatening to exclude any provider offering such care from Medicare and Medicaid. Hawaii joined a coalition of several states and the District of Columbia in filing a federal lawsuit challenging the declaration. In April 2026, a federal judge in the District of Oregon ruled in favor of the plaintiffs on all counts, vacating the Kennedy Declaration in its entirety and permanently enjoining HHS from enforcing it or any materially similar policy against providers in the plaintiff states. The court held that HHS violated the Administrative Procedure Act and the Medicare Act by bypassing notice-and-comment rulemaking, exceeded its statutory authority by purporting to dictate professionally recognized standards of care, and violated the terms of federally approved state Medicaid plans that cover gender-affirming care.
- **In 2024**, Hawaii established the Hawaii State LGBTQ+ Commission under HRS 369. In 2025, the Commission held the inaugural Queer Day at the Capitol, launched a first of its kind state-sponsored inclusive queer glossary, and helped mark the first time Pride flags flew over the State Capitol. In 2026, it held a second annual Queer Day at the Capitol with more than 38 exhibitors and new educational panels.
- Hawaii enacted the parentage modernization work in 2025. Act 298, effective January 1, 2026, repealed the older Uniform Parentage Act of 1973 and enacted updated parentage rules that strengthen legal protections for LGBTQ+ families.
- The Hawaii State Department of Health's Sexual and Gender Minority ("SGM") Resource Hub now includes the 2017 and 2018 SGM health reports, a 2024 Hawai'i SGM Health Summary using 2017-2019 data, and an SGM Health Services Directory updated in September 2025.
- **In 2025 and 2026**, Hawaii's LGBTQ+-related legislative activity focused largely on strengthening protections, including Act 259 on discriminatory reporting, Act 298's parentage update effective January 1, 2026, and pending bills to strengthen protections for gender-affirming care and providers.

Socio-Cultural Environment of LGBTQ+ People in Hawaii

Status of LGBTQ+ Organizing and Community

Honolulu's Pride held its 2025 celebration in Waikiki in October 2025, and the official Pride website now lists Pride Weekend for October 16-18, 2026, with the parade on October 17, 2026.

Cultural Views of the LGBTQ+ Community

In 2024, Hawaii voters approved a constitutional amendment repealing obsolete language that had authorized the legislature to reserve marriage to opposite sex couples.

Attorney General (Hawaii)

Democrat Anne Lopez currently serves as Attorney General. Lopez was appointed by Governor Josh Green in December 2022. In the 2026 edition of the Index — which adds the Attorney General as a newly scored indicator — Lopez receives a score of 4 of 5, placing the office in the Coalition joiner (pro-LGBTQ+) tier. AGs in this tier have joined pro-LGBTQ+ multi-state amicus coalitions and maintained a publicly pro-equality posture, though their offices have not led the most active national litigation. Lopez has not initiated major LGBTQ+-specific litigation as Attorney General, and Hawaii's strong existing nondiscrimination framework requires comparatively little defensive litigation. Her office has joined pro-LGBTQ+ multi-state coalitions but has not been a lead filer in the 2025-2026 federal litigation wave. For Hawaii employers, the AG's posture is best understood as supportive but not actively litigation-driven on LGBTQ+ matters.



Partners

Our partnerships make our work possible.

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