

STAND. COM. REP. NO. 1054

Honolulu, Hawaii  
, 2023

**MAR 03**

RE: H.B. No. 841  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 841, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS,"

begs leave to report as follows:

The purpose of this measure is to amend automatic referral requirements when a domestic abuse restraining order is sought to apply only when there are allegations of child abuse.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Hawai'i State Coalition Against Domestic Violence, Parents and Children Together, and three individuals.

Your Committee finds that the existing law is overbroad in that it requires a referral to the Department of Human Services for intervention or investigation by the Child Welfare Services Branch when a parent seeks a domestic abuse restraining order against another parent or household member for allegations of domestic abuse. Many of these referrals do not indicate safety concerns for the children. Your Committee further finds that this measure would reduce the need to report families where a harm or threat of harm to a child does not exist, strengthen support for domestic violence survivors, allay fears of temporary restraining

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order petitioners that seeking protection will generate a Child Welfare Services investigation, and reserve Child Welfare Services resources for investigations of reports of child abuse.

Your Committee has amended this measure by 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 H.B. No. 841, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 841, H.D. 2.

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



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DAVID A. TARNAS, Chair



