

STAND. COM. REP. NO.

1730

Honolulu, Hawaii

MAR 31 , 2025

RE: S.B. No. 295  
S.D. 1  
H.D. 2

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 295, S.D. 1, 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:

- (1) Increase the penalties imposed on individuals convicted for violations of temporary restraining orders and orders for protection;
- (2) Clarify that the court shall not sentence a defendant to pay a fine for violating a domestic abuse protective order if the court makes an on-the-record determination that the defendant is or will be unable to pay the fine;
- (3) Specify that a conviction for violation of a temporary restraining order issued under the same judicial case number as an order for protection shall be treated as a second or subsequent violation of an order for protection; and

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- (4) Authorize the court to suspend certain jail sentences for violations of domestic abuse protective orders if the defendant meets certain conditions.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women; Office of the Prosecuting Attorney of the County of Hawai'i; Department of the Prosecuting Attorney for the City and County of Honolulu; Hawai'i State Coalition Against Domestic Violence; Domestic Violence Action Center; Hawai'i Children's Action Network Speaks!; Theresa's Pu'uwai Legacy; and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and one individual.

Your Committee finds that protective orders play a crucial role in shielding individuals from domestic abuse, yet repeated violations undermine their effectiveness and put victims in danger. To ensure these orders serve their intended purpose, stronger enforcement measures are necessary. This measure enhances accountability by imposing stricter penalties for violations, clarifying how repeat offenses are treated, and allowing courts to assess a defendant's financial capacity when imposing fines.

Your Committee has amended this measure by:

- (1) Clarifying that any conviction for violation of a temporary restraining order issued under the same judicial case number as an order for protection shall be treated as a prior violation of an order for protection; and
- (2) 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 S.B. No. 295, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 295, S.D. 1, 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



