STAND. COM. REP. NO. 74 -10

Honolulu, Hawaii **F243**, 2010 RE: H.B. No. 2796

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2796 entitled:

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

begs leave to report as follows:

The purpose of this bill is to ensure that victims of domestic abuse are afforded continuous protection under restraining or protective orders issued by the court, by authorizing a temporary restraining order to remain in effect for 90 days or until service of a protective order, whichever occurs first.

The Honolulu Police Department and Honolulu Department of the Prosecuting Attorney supported this bill. A concerned individual supported this measure with an amendment.

Your Committee finds that a temporary restraining order remains in effect for up to 90 days, but becomes invalid if a protective order is issued by the court during that time. A protective order is not fully effective until it is served on the respondent. Thus, if a petitioner is granted a protective order, and the respondent is proficient at avoiding service, the petitioner is left without legal protection until the protective order can be served. This bill would strengthen legal protections for victims of domestic abuse by removing this loophole in the law.

HB2796 HSCR HUS HMS 2010-1519

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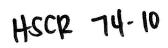
As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2796 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

HB2796 HSCR HUS HMS 2010-1519

Respectfully submitted on behalf of the members of the Committee on Human Services,

M. MIZUNO Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Human Services

Bill/Resolution No.: HB2796	Committee Referral: HUS, JUD			Date: 20100		
□ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)						
HUS Members		Ayes Ayes (WR)		D) Nove	Nays Excused	
		Ayes	Ayes (W		Excuseu	
1. MIZUNO, John M. (C)						
2. BROWER, Tom (VC)						
3. BELATTI, Della Au						
4. BERTRAM, Joe, III						
4. BERTRAM, Joe, III						
5. CARROLL, Mele						
6. NISHIMOTO, Scott Y.						
7. SHIMABUKURO, Maile S.L.						
Similar bereaks, maile S.L.						
8. YAMANE, Ryan I.						
9. WARD, Gene						
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TOTAL (9)		7	0	0	2	
The recommendation is: Adopted Not Adopted If joint referral,						
Vice Chair's or designee's signature: 10WKyow						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						