STAND. COM. REP. NO. 930

Honolulu, Hawaii

March 4 , 2011

RE: H.B. No. 1003

H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1003, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this bill is to provide greater protection to victims of domestic violence by establishing first and second degree murder, second degree assault, and first degree terroristic threatening for a person who causes death or bodily injury to another person or threatens another person:

- (1) From whom the defendant has been restrained, by order of any court from contacting, threatening, or physically abusing pursuant to domestic abuse protective orders;
- (2) Who is being protected by a police officer ordering the defendant to leave the premises of that protected person during the effective period of the restraining order; or
- (3) Who is known by the defendant to be a witness in a family court case and the killing is related to the person's status as a witness.

The Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the County of Maui, Hawaii County Police Department, Domestic Violence Action Center, and Hawaii

HB1003 HD2 HSCR JUD HMS 2011-2870

State Coalition Against Domestic Violence testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2011; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1003, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1003, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

GILBERT KEITH-AGARAN, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

HSCR 930

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: 18 1003 101 Committee	e Referral:	$\int_{\mathcal{D}} \mathcal{J} \mathcal{O} \mathcal{D}$	"3/3/17	
☐ 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)	V			
2. RHOADS, Karl (VC)				
3. BROWER, Tom				
4. CABANILLA, Rida T.R.				<u> </u>
5. CARROLL, Mele				V
6. HERKES, Robert N.				
7. ITO, Ken	<u></u>			
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.				レ
10. MORITA, Hermina M.				し
11. OSHIRO, Blake K.				<u></u>
12. SOUKI, Joseph M.				•
13. TSUJI, Clift				
14. FONTAINE, George R.				
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
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TOTAL (16)	10	0	0	6
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO				