## STAND. COM. REP. NO. 317

Honolulu, Hawaii Feb 16, 2011

RE: H.B. No. 135 H.D. 1

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

Sir:

Your Committee on Human Services, to which was referred H.B. No. 135 entitled:

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

begs leave to report as follows:

The purpose of this bill is to strengthen the domestic abuse protective orders law by:

- Specifying that the time in which a temporary restraining order (TRO) remains in effect includes until the service of a protective order issued by the court; and
- (2) Providing that protective orders orally stated by the court on the record shall be effective upon service of the protective order upon the respondent.

The City and County of Honolulu Department of the Prosecuting Attorney, City and County of Honolulu Police Department, Hawai'i State Coalition Against Domestic Violence, and Domestic Violence Action Center testified in support of this bill. The Judiciary took no position on the bill and submitted comments.

Your Committee has amended this bill by:

(1) Clarifying that the time in which a TRO remains in effect includes until the effective date of a protective

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order issued by the court, as defined in section 586-5.6, Hawaii Revised Statutes;

- (2) Providing that protective orders orally stated by the court on the record shall be effective as of the date of the hearing if the respondent attends the hearing or, if the respondent was served, but failed to appear, then upon service of the protective order upon the respondent until further order of the court; and
- (3) Changing its effective date to July 1, 2050, to facilitate continued discussion

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. 135, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 135, H.D. 1, and be referred to the Committee on Judiciary.

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

HN M. MIZUNO,

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State of Hawaii House of Representatives The Twenty-sixth Legislature



## Record of Votes of the Committee on Human Services

	Committee Referral: HUS, JUD		Date: 2/3/2011		
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)	Nays	Excused	
1. MIZUNO, John M. (C)					
2. JORDAN, Jo (VC)					
3. BELATTI, Della Au					
4. HANOHANO, Faye P.					
5. LEE, Chris					
6. MORIKAWA, Dee					
7. WOOLEY, Jessica	V				
8. YAMANE, Ryan I.					
9. CHING, Corinne W.L.					
10. PINE, Kymberly Marcos					
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TOTAL (10)	9				
The recommendation is: Adopted If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					