

Honolulu, Hawaii

APR 10 2015

RE: H.B. No. 58
H.D. 1
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 58, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to protect persons who have been granted long-term protective orders.

More specifically, the measure:

- (1) Establishes a three-year protective order card pilot program under the Honolulu Family Justice Center;
- (2) Authorizes the Honolulu Family Justice Center to issue, to any person who has been granted a long-term protective order by any court of the First Circuit of the State, a protective order card containing information about a person being restrained, the terms of a protective order, and related information;
- (3) Authorizes the Honolulu Family Justice Center to charge a fee not to exceed \$20 per protective order card issued after the first card;
- (4) Requires the Honolulu Family Justice Center to maintain a database of all protective order cards issued through the program and their related long-term protective



orders, and to make the database accessible to law enforcement personnel;

- (5) Authorizes the Honolulu Family Justice Center to work with private and public agencies and accept funding from public agencies and private persons to support the program;
- (6) Requires the Department of the Prosecuting Attorney of the City and County of Honolulu to submit a report on the program to the Legislature prior to the convening of the Regular Sessions of 2016, 2017, and 2018; and
- (7) Appropriates unspecified sums for fiscal years 2015-2016 and 2016-2017 for grants-in-aid to the Honolulu Family Justice Center to implement the program.

Your Committee received written comments in support of this measure from the Department of the Attorney General, the Department of the Prosecuting Attorney of the City and County of Honolulu, Ala Kuola, and one individual.

Your Committee finds that it is often impractical for the recipient of a protective order to constantly carry a certified copy of their protective order on their person. Authorizing the distribution of laminated cards containing pertinent information about a protective order and a person being restrained will facilitate the enforcement of protective orders and help protect the recipients of protective orders.

Your Committee has amended this measure by:

- (1) Specifying that all fees collected for the issuance of a protective order card shall be deposited in the general fund of the City and County of Honolulu;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 58,



H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 58, H.D. 1, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Ways and Means,



JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB58 HDI SDI	JDL, WAM	4/2/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani				✓
GALUTERIA, Brickwood				✓
HARIMOTO, Breene				✓
INOUYE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam				✓
TOTAL	6	0	0	5
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">M. D. M.</div>				
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*Only one measure per Record of Votes