

Honolulu, Hawaii MAYCA 24 , 2016 RE: S.B. No. 2310

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2310 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 prohibit the court from granting mutual protective orders unless separate petitions are filed and reasonable noticing of the filing is provided.

The Hawaii State Commission on the Status of Women, Department of the Prosecuting Attorney of the City and County of Honolulu, Domestic Violence Action Center, American Association of University Women in Hawaii, Hawaii State Coalition Against Domestic Violence, and two individuals supported this measure. An individual opposed this measure.

Your Committee finds that the practice of issuing mutual protective orders in domestic abuse cases, which are protective orders issued against both parties to a dispute, should be prohibited unless the responding party files a separate petition and provides reasonable notice to the other party. Your Committee further finds that even though the practice has fallen out of fashion, the issue still persists in domestic abuse cases.

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 S.B. No. 2310 and recommends that it pass Third Reading.

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

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KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature

HSCR 1357-16

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 23VU	Committee Referral: HUS, JV	Date:	03/18	/16
□ 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. RHOADS, Karl (C)				
2. SAN BUENAVENTURA, Joy A.	(VC)			
3. BELATTI, Della Au				
4. BROWER, Tom				
5. CREAGAN, Richard P.				· · · · · · · · · · · · · · · · · · ·
6. HASHEM, Mark J.	/			
7. KAWAKAMI, Derek S.K.			8 00 - 111	
8. LEE, Chris				
9. MORIKAWA, Dee				
10. NAKASHIMA, Mark M.				
11. TAKAYAMA, Gregg				
12. WOODSON, Justin H.				
13. McDERMOTT, Bob				
14. THIELEN, Cynthia				
TOTAL (14)	11			3
The recommendation is: Adopted Not Adopted If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				