STAND. COM. REP. NO.

Honolulu, Hawaii

, 2023

MAR 03

RE: H.B. No. 841 H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 841, H.D. 1, 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 amend automatic referral requirements when a domestic abuse restraining order is sought to apply only when there are allegations of child abuse.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Hawai'i State Coalition Against Domestic Violence, Parents and Children Together, and three individuals.

Your Committee finds that the existing law is overbroad in that it requires a referral to the Department of Human Services for intervention or investigation by the Child Welfare Services Branch when a parent seeks a domestic abuse restraining order against another parent or household member for allegations of domestic abuse. Many of these referrals do not indicate safety concerns for the children. Your Committee further finds that this measure would reduce the need to report families where a harm or threat of harm to a child does not exist, strengthen support for domestic violence survivors, allay fears of temporary restraining

order petitioners that seeking protection will generate a Child Welfare Services investigation, and reserve Child Welfare Services resources for investigations of reports of child abuse.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 841, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 841, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

Dang Camao

DAVID A. TARNAS, Chair

## State of Hawaii House of Representatives The Thirty-second Legislature

HSCR 1054

## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

	e Referral:	S, JHA Dat	e: 3/2/2023	
HB 841, HD1		איי ב ,כ	3/1/2023	3
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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)				
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2. TAKAYAMA, Gregg (VC)				
3. GANADEN, Sonny				
J. GANADEN, Sumy				
4. HOLT, Daniel				
TENERS OF THE STREET, AND STRE				
5. HASHIMOTO, Troy N.				
6. ICHIYAMA, Linda		NAMES OF TAXABLE PARTY.		5
7. ILAGAN, Greggor				
8. KONG, Sam Satoru				
9. MIZUNO, John M.				· · · · · · · · · · · · · · · · · · ·
10. SOUZA, Kanani				
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TOTAL (10)	10	-		
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				