

STAND. COM. REP. NO.

1402

Honolulu, Hawaii

MAR 21 , 2023

RE: S.B. No. 45  
S.D. 1  
H.D. 1

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

Sir:

Your Committee on Human Services, to which was referred S.B. No. 45, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MINORS,"

begs leave to report as follows:

The purpose of this measure is to allow a school counselor, domestic violence victim advocate, or other mental health professional licensed by the State to petition for an order for protection on a minor's behalf when the minor's parent or guardian is unable to submit a petition.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Hawai'i State Coalition Against Domestic Violence, and six individuals. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that approximately one in twelve high school students experience sexual dating violence. Your Committee further finds that it is not uncommon for adolescents who have entered into a romantic relationship without their parent's approval to be reluctant to approach their parents for help when

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that relationship turns abusive. However, under existing law, a petition for an order for protection on behalf of a minor can only be made by a family member or state agency. Your Committee further finds that minors should have the right to seek relief from domestic abuse through a protective order without having to demonstrate that their parents or legal guardians are unwilling or unable to do so on their behalf.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have allowed a school counselor, domestic violence victim advocate, or other mental health professional licensed by the State to petition for a domestic abuse protective order on a minor's behalf, and instead allowing any minor sixteen years of age or older, on their own behalf without the consent of a parent or legal guardian, or emancipated minor to petition for a domestic abuse protective order;
- (2) Changing the effective date to June 30, 2023; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

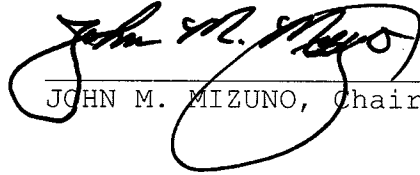
Your Committee grants prior concurrence on this measure to your Committee on Judiciary & Hawaiian Affairs to make any amendments it deems necessary.

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 S.B. No. 45, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 45, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



1402

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



JOHN M. MIZUNO, Chair



Record of Votes of the Committee on Human Services

Bill/Resolution No.: SB 45 SD 1	Committee Referral: HUS, JHA	Date: 03.14.2023		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> 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)	6			
2. AMATO, Terez (VC)	6			
3. BELATTI, Della Au	6			
4. ILAGAN, Greggor	6			
5. KOBAYASHI, Bertrand				⓪
6. TAKENOUCHI, Jenna	0			
7. NISHIMOTO, Scott Y.	6			
8. GARCIA, Diamond			⓪	
TOTAL (8)	6		1	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>Jay Chant</i>				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				