

STAND. COM. REP. NO.

1080

Honolulu, Hawaii

, 2023

**MAR 03**

RE: H.B. No. 448

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. 448, H.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 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 when the minor's parent or guardian is unwilling or unable to submit a petition, subject to certain requirements.

Your Committee received testimony in support of this measure from five individuals. Your Committee received testimony in opposition to this measure from Child and Family Service and two individuals. Your Committee received comments on this measure from the Department of Education, Hawai'i State Coalition Against Domestic Violence, Parents and Children Together, and two individuals.

Your Committee finds that minors should have the right to seek relief from domestic abuse through a protection order without having to demonstrate that their parents or legal guardians are unwilling or unable to do so on their behalf.

Your Committee has amended this measure by:

2023-2169 HB448 HD2 HSCR HMSO



- (1) Deleting language that would have allowed a 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; and
- (2) 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. 448, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 448, H.D. 2.

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



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DAVID A. TARNAS, Chair



