STAND. COM. REP. NO.

Honolulu, Hawaii , 2023 MAR 03 H.B. No. 448 RE: 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:

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- (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.

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

DAVID A. TARNAS, Chair

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR 1080

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB448, HD1	ee Referral: HUS	5, JHA Date	2/24/20	93
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)				
2. TAKAYAMA, Gregg (VC)				4(// 1
3. GANADEN, Sonny				
				Range 1993
4. HOLT, Daniel	n Tentangen er inter			
5. HASHIMOTO, Troy N.				
6. ICHIYAMA, Linda				
	TORE AND LODO			
7. ILAGAN, Greggor				
8. KONG, Sam Satoru				
9. MIZUNO, John M.				
10. SOUZA, Kanani				
		-		
TOTAL (10)	4		<u> </u>	l
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				