STAND. COM. REP. NO. **1210**

Honolulu, Hawaii

MAR 13 , 2025

RE: S.B. No. 295

S.D. 1 H.D. 1

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Human Services & Homelessness, to which was referred S.B. No. 295, S.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:

- (1) Increase the penalties imposed on individuals convicted for violations of temporary restraining orders and orders for protection;
- (2) Clarify that the court shall not sentence a defendant to pay a fine for violating a domestic abuse protective order if the court makes an on-the-record determination that the defendant is or will be unable to pay the fine;
- (3) Specify that a conviction for violation of a temporary restraining order issued under the same judicial case number as an order for protection shall be treated as a second or subsequent violation of an order for protection; and

(4) Authorize the court to suspend certain jail sentences for violations of domestic abuse protective orders if the defendant meets certain conditions.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney for the City and County of Honolulu; Hawai'i State Coalition Against Domestic Violence; Hawai'i Children's Action Network Speaks!; Domestic Violence Action Center; and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that protective orders are critical tools that can help shield individuals from threats and violence, yet repeated violations highlight the need for stronger enforcement. This measure strengthens accountability by increasing mandatory jail time and fines for violations, particularly for repeat offenders, and ensures that these enforceable safeguards deter future violations and enhance victim safety.

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 Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 295, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 295, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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

LISA MARTEN, Chair

State of Hawaii

Record of Votes of the Committee on Human Services & Homelessness

Bill/Resolution No.:	Committee Referral:		Date:		
SB 295 SDI	HSH, JHA		Date: 3/11/2025		
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)					
HSH Men	nbers	Ayes	Ayes (WR)	Nays	Excused
1. MARTEN, Lisa (C)		X			
2. OLDS, Ikaika (VC)		X			Statistics.
	1 112 12 202	100 grand 100 gr			
3. AMATO, Terez		X			
4. CHUN, Cory M.		<u> </u>			
		i. Karasa	500 25 5 500 10 25 5 500		
5. KEOHOKAPU-LEE	LOY, Sue L.	X	100 mm		
6. TAKAYAMA, Gregg	· 美藤 · · · · · · · · · · · · · · · · · ·	X	11 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 -		Miles Angeles and a second process of the second participation of the second participa
7. TAKENOUCHI, Jenn		~ 			
8. ALCOS III, David			7 (3) (3) (4)		
6. ALCOS III, David			Part Control of the C		h
9. GARCIA, Diamond	<u> </u>	24 15222000	\times	2 1715	
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TOTAL (9)	8	1		
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					