
A BILL FOR AN ACT

RELATING TO DOMESTIC VIOLENCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. Act 19, Session Laws of Hawaii 2020, is amended
3 by amending section 15 to read as follows:

4 "SECTION 15. This Act shall take effect on January 1,
5 2021; provided that sections 2, 3, and 4 shall be repealed on
6 June 30, [~~2026~~] 2031; provided further that sections 706-623,
7 709-906, and 853-4, Hawaii Revised Statutes, shall be reenacted
8 in the form in which they read on the day prior to the effective
9 date of this Act."

10 SECTION 2. Act 238, Session Laws of Hawaii 2021, is
11 amended by amending section 4 to read as follows:

12 "SECTION 4. This Act shall take effect upon its approval;
13 provided that section 1 shall be repealed on June 30, [~~2026~~]
14 2031; provided further that section 709-906, Hawaii Revised
15 Statutes, shall be reenacted in the form in which it read on
16 December 31, 2020."



1 SECTION 3. Act 23, Session Laws of Hawaii 2023, as amended
2 by section 15 of Act 178, Session Laws of Hawaii 2024, is
3 amended by amending section 7 to read as follows:

4 "SECTION 7. This Act shall take effect upon its approval;
5 provided that the amendments made to section 709-906, Hawaii
6 Revised Statutes, by section 4 of this Act shall not be repealed
7 when that section is reenacted on June 30, [~~2026~~] 2031,
8 pursuant to:

- 9 (1) Section 15 of Act 19, Session Laws of Hawaii 2020; and
- 10 (2) Section 4 of Act 238, Session Laws of Hawaii 2021."

11 PART II

12 SECTION 4. (a) The judiciary shall submit a report
13 regarding cases filed with the judiciary involving offenses
14 under section 709-906, Hawaii Revised Statutes, to the
15 legislature no later than December 1 of 2026, 2027, 2028, 2029,
16 and 2030. The report shall include:

- 17 (1) The final outcome of each case, including the number
18 of cases dismissed, deferred with a successful case
19 closure, and sentenced, by category;
- 20 (2) The number of defendants, by category, who:
21 (A) Pleaded guilty or no contest;



- 1 (B) Were found guilty after trial;
- 2 (C) Were found not guilty; and
- 3 (D) Had other adjudicative outcomes, including
- 4 mistrial or dismissal after trial;
- 5 (3) The number of domestic violence assessments ordered
- 6 and completed and number of defendants referred to
- 7 treatment after assessment;
- 8 (4) In cases in which an offender was required to complete
- 9 a domestic violence intervention program, anger
- 10 management course, or parenting classes, the report
- 11 shall include, by category:
- 12 (A) The number of cases in which the program was
- 13 completed or not completed; and
- 14 (B) Any reasons for failure to complete the program
- 15 and the consequences for failure to complete the
- 16 program;
- 17 (5) The number and offense type for any new charges for
- 18 defendants while their case is open and for one year
- 19 after they completed treatment;
- 20 (6) The number of times a deferred acceptance of guilty
- 21 has been granted to the same defendant; and



1 (7) The amount of time between initiation of the case and
2 completion of the case.

3 (b) The report due on December 1, 2026, shall only include
4 data starting from the effective date of this Act.

5 (c) For the report due on December 1, 2030, the judiciary,
6 in consultation with the criminal justice research institute,
7 shall also include an evaluation of the pilot project under Act
8 19, Session Law of Hawaii 2020, and Act 238, Session Laws of
9 Hawaii 2021, that reviews the data required under subsection

10 (a), where available, from 2016 to 2029, to evaluate the
11 following:

12 (1) Whether the length of case adjudication changed before
13 and after the pilot project had an impact on
14 dismissals pursuant to rule 48 of the Hawaii rules of
15 penal procedure;

16 (2) Whether recidivism rates changed after the pilot
17 project;

18 (3) Whether successful completion of domestic violence
19 programs, anger management, or parenting classes
20 increased during the pilot project;



1 (4) Whether the pilot project provided faster case
2 resolution; and

3 (5) Any recommendations for legislation, including whether
4 to make the pilot project permanent.

5 PART III

6 SECTION 5. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun before its effective date.

9 SECTION 6. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 7. This Act shall take effect on January 1, 2050;
12 provided that sections 1 to 3 of this Act shall take effect on
13 June 29, 2026.



Report Title:

Domestic Violence; Abuse of Family or Household Member; Deferred Acceptance of Guilty Plea; Penalties

Description:

Extends for five years certain provisions from Act 19, SLH 2020, and Act 238, SLH 2021, relating to abuse of family or household members, including establishing a petty misdemeanor offense of abuse of family or household members, clarifying penalties for violations, and allowing a deferred acceptance of guilty plea for misdemeanor and petty misdemeanor abuse of family or household members offenses. Requires reports to the Legislature. Effective 1/1/2050. (SD1)

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