

Honolulu, Hawaii

March 20, 2008

RE: S.B. No. 1343
S.D. 1
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1343, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this bill is to further protect victims of domestic violence by including violations of restraining orders and police orders as offenses of terroristic threatening in the first degree and assault in the second degree.

The Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Hawaii Police Department, Honolulu Police Department, and Hawaii State Coalition Against Domestic Violence testified in support of this bill. The Office of the Public Defender opposed this measure.

Your Committee has amended this bill by:

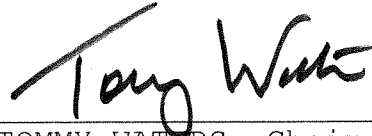
- (1) Excluding ex parte orders from among the court orders covered by the criminal offense;
- (2) Changing its effective date to January 1, 2112, to encourage further discussion; and



- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1343, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 1343, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



TOMMY WATERS, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 1333-08

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 1343, SD1, HD1 (HSCR 1085-08)	Committee Referral: HSH, JUD, FIN	Date: 3/18/08
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) 2 Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	/			
2. OSHIRO, Blake K. (VC)	/			
3. EVANS, Cindy	/			
4. GREEN, Josh, M.D.	/			
5. ITO, Ken	/			
6. LUKE, Sylvia	/			
7. McKELVEY, Angus L.K.	/			
8. MORITA, Hermina M.				/
9. SONSON, Alex M.				/
10. SOUKI, Joseph M.	/			
11. TSUJI, Clift	/			
12. YAMANE, Ryan I.	/			
13. YAMASHITA, Kyle T.	/			
14. MARUMOTO, Barbara C.	/			
15. PINE, Kymberly Marcos				/
16. THIELEN, Cynthia	/			
TOTAL (16)	<u>13</u>	<u>0</u>	<u>0</u>	<u>3</u>

The recommendation is: Adopted Not Adopted
If joint referral, _____ did not support recommendation.
 committee acronym(s)

Vice Chair's or designee's signature: Tony Wata

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