

STAND. COM. REP. NO. 674

Honolulu, Hawaii

March 5, 2009

RE: H.B. No. 1512  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1512 entitled:

"A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS,"

begs leave to report as follows:

The purpose of this bill is to allow a family court judge to issue a temporary restraining order (TRO) that grants exclusive care of a pet animal to a party in a domestic abuse proceeding. This bill also specifies that the TRO shall enjoin the respondent or person to be restrained from visiting, taking, concealing, threatening, physically abusing, or otherwise disposing of a pet animal that is in the exclusive care of the protected party.

The Department of the Prosecuting Attorney of the City and County of Honolulu, Domestic Violence Action Center, Humane Society of the United States in Hawaii, Maui Humane Society, Hawaii State Coalition Against Domestic Violence, and several concerned individuals testified in support of this bill. The Hawaiian Humane Society supported this bill and suggested amendments. The Office of the Public Defender testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Inserting, in addition to pet animals, equine animals into the scope of this measure;

HB1512 HD1 HSCR JUD HMS 2009-2484

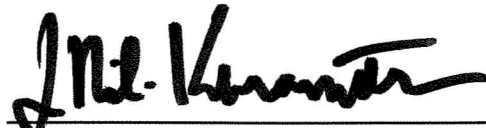


- (2) Clarifying that the TRO relating to a pet animal or equine animal is discretionary; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

Your Committee notes that there may be other types of animals that may provide companionship or be of substantial monetary value that are not included in the definitions of "pet animal" or "equine animal" under section 710-1100, Hawaii Revised Statutes.

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 H.B. No. 1512, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1512, H.D. 1, and be placed on the calendar for Third Reading.

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



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JON RIKI KARAMATSU, Chair



