
A BILL FOR AN ACT

RELATING TO DOMESTIC ABUSE ORDERS.

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

1 SECTION 1. Section 586-5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) A temporary restraining order granted pursuant to
4 this chapter shall remain in effect at the discretion of the
5 court, for a period not to exceed ninety days from the date the
6 order is granted[-] or until the personal service of a
7 protective order issued by the court, whichever event shall
8 first occur."

9 SECTION 2. Section 586-5.6, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "§586-5.6 Effective date. The temporary restraining order
12 shall be effective as of the date of signing and filing;
13 provided that if a temporary restraining order is granted orally
14 in the presence of all the parties and the court determines that
15 each of the parties understands the order and its conditions, if
16 any, then the order shall be effective as of the date it is
17 orally stated on the record by the court until further order of
18 the court. Protective orders orally stated by the court on the



1 record shall be effective as of the date of the hearing until
2 further order of the court; provided that if a protective order
3 is granted orally without the presence of the respondent, then
4 the order shall be effective as of the date the protective order
5 is served on the respondent; provided further that all oral
6 protective orders shall be reduced to writing and issued
7 forthwith. The judiciary shall provide forms [~~which~~] that will
8 enable the court to issue all temporary restraining orders
9 forthwith."

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on December 21,
13 2058.



Report Title:

Domestic Abuse Orders

Description:

Authorizes a temporary restraining order to remain in effect for 90 days or until the personal service of a protective order is issued by the court, whichever occurs first. Provides for protective orders issued orally in court to be effective upon service of the respondent if the respondent is not present at the hearing for the protective order. Effective December 21, 2058. (HB2796 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

