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## 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 service of a protective order  
7 issued by the court, whichever occurs first."

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

10           "**§586-5.6 Effective date.** The temporary restraining order  
11 shall be effective as of the date of signing and filing;  
12 provided that if a temporary restraining order is granted orally  
13 in the presence of all the parties and the court determines that  
14 each of the parties understands the order and its conditions, if  
15 any, then the order shall be effective as of the date it is  
16 orally stated on the record by the court until further order of  
17 the court. Protective orders orally stated by the court on the  
18 record shall be effective ~~[as of the date of the hearing]~~ upon



1 service of the respondent until further order of the court;  
2 provided that all oral protective orders shall be reduced to  
3 writing and issued forthwith. The judiciary shall provide forms  
4 [~~which~~] that will enable the court to issue all temporary  
5 restraining orders forthwith."

6 SECTION 3. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.  
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INTRODUCED BY:

*John M. Mingo*  
*By [Signature]*  
*[Signature]*

JAN 26 2010



**Report Title:**

Domestic Abuse Orders

**Description:**

Authorizes a temporary restraining order to remain in effect for 90 days or until service of a protection order, whichever occurs first. Provides for protective orders issued orally in court to be effective upon service of the respondent.

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

