

STAND. COM. REP. NO. 317

Honolulu, Hawaii

Feb 16, 2011

RE: H.B. No. 135  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 135 entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE ORDERS,"

begs leave to report as follows:

The purpose of this bill is to strengthen the domestic abuse protective orders law by:

- (1) Specifying that the time in which a temporary restraining order (TRO) remains in effect includes until the service of a protective order issued by the court; and
- (2) Providing that protective orders orally stated by the court on the record shall be effective upon service of the protective order upon the respondent.

The City and County of Honolulu Department of the Prosecuting Attorney, City and County of Honolulu Police Department, Hawai'i State Coalition Against Domestic Violence, and Domestic Violence Action Center testified in support of this bill. The Judiciary took no position on the bill and submitted comments.

Your Committee has amended this bill by:

- (1) Clarifying that the time in which a TRO remains in effect includes until the effective date of a protective

HB135 HD1 HSCR HUS HMS 2011-1881

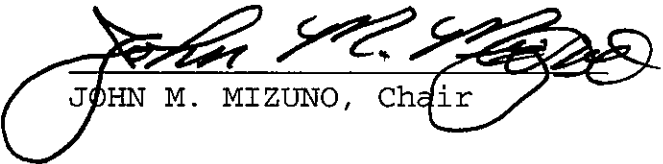


order issued by the court, as defined in section 586-5.6, Hawaii Revised Statutes;

- (2) Providing that protective orders orally stated by the court on the record shall be effective as of the date of the hearing if the respondent attends the hearing or, if the respondent was served, but failed to appear, then upon service of the protective order upon the respondent until further order of the court; and
- (3) Changing its effective date to July 1, 2050, to facilitate continued discussion

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 135, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 135, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
JOHN M. MIZUNO, Chair



