

Honolulu, Hawaii

February 7, 2017

RE: H.B. No. 669

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 669 entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE,"

begs leave to report as follows:

The purpose of this measure is to repeal Section 586-10.5, Hawaii Revised Statutes (HRS), which, in cases of allegations of domestic abuse involving a family or household member who is a minor or incapacitated person, requires:

- (1) The family-court-designated employee or nonjudicial agency to report the matter to the Department of Human Services (DHS) and notify DHS of the granting of the temporary restraining order and hearing date;
- (2) DHS to provide the family court with a written report on the disposition of the referral; and
- (3) The court to provide copies of the report to the petitioner and respondent at the hearing, if the report is not mailed.

The DHS, Hawaii State Commission on the Status of Women, City and County of Honolulu Department of the Prosecuting Attorney, Women Helping Women, Hawaii Women's Coalition, Hawaii State Coalition Against Domestic Violence, Domestic Violence Action Center, and two individuals testified in support of this measure.



The Family Law Section of the Hawaii State Bar Association testified in opposition to this measure. The Judiciary commented on this measure.

Your Committee has amended this measure by:

- (1) Amending, rather than repealing, Section 586-10.5, HRS, relating to the reporting requirement regarding reports by DHS and the family court, to:
  - (A) Require DHS to provide the family court with an oral or written report regarding the safety of a minor child of the parties, if requested by the court;
  - (B) Stipulate that DHS need not appear at the hearing unless ordered by the court if a written report is provided; and
  - (C) Require the court to provide copies of all written reports to the parties;
- (2) Changing its effective date to July 1, 2075, to facilitate continued discussion; and
- (3) Making technical, nonsubstantive amendments for clarity and consistency.

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. 669, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 669, H.D. 1, and be referred to your Committee on Judiciary.

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



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DEE MORIKAWA, Chair



