

STAND. COM. REP. NO.

1739

Honolulu, Hawaii

APR - 2 2019

RE: H.B. No. 295
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 295, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend the definition of domestic abuse under Hawaii's insurance laws and domestic abuse protective order statutes to include emotional abuse between family or household members; and
- (2) Define emotional abuse.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawaii, Domestic Violence Action Center, Hawaii State Coalition Against Domestic Violence, Rainbow Family 808, Hawaii Psychological Association, and three individuals. Your Committee received testimony in opposition to this measure from the Institute for Rational and Evidence-Based Legislation, National Rifle Association, and three individuals. Your Committee received comments on this measure from the Judiciary.



Your Committee finds that domestic violence and abuse includes actions that are not physical. Your Committee further finds that emotional abuse and controlling behavior cause serious harm and that victims of such abuse frequently incur significant treatment expenses. This measure expands domestic abuse to include emotional abuse between family or household members for the purposes of insurance and protective orders.

Your Committee has amended this measure by:

- (1) Removing "regulating the person's everyday behavior" from the definition of "controlling behavior"; and
- (2) Clarifying that a "parent or guardian's legitimate attempt to discipline their child" is excluded from the definition of "emotional abuse".

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. 295, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 295, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



