

Honolulu, Hawaii

APR 24 2019

RE: S.B. No. 1037
S.D. 1
H.D. 1
C.D. 1

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

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1037, S.D. 1, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend the offense of abuse of a family or household member by amending the type of physical abuse that constitutes strangulation to include blocking the nose and mouth or applying pressure to the chest, as well as clarifying that bodily injury must result.

Your Committee on Conference finds that strangulation is highly dangerous and potentially deadly form of abuse. Your Committee on Conference further finds that including blockage of the nose and mouth or applying pressure to the chest as additional possible elements to establish the crime will enable more successful prosecution of strangulation cases in the context of domestic



violence. Your Committee on Conference notes that, although this measure explicitly provides that bodily injury need not be visible to establish the offense, it is not the intention of your Committee on Conference that other offenses that include bodily injury as an element be construed to require visible bodily injury.

Your Committee on Conference has amended this measure by making it effective upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1037, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1037, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



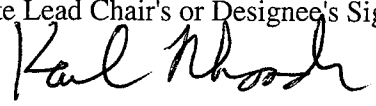
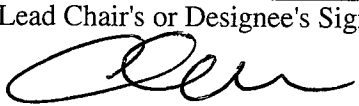
CHRIS LEE
Chair



KARL RHOADS
Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 1037, SD 1, HD 1					Date/Time: 4/17/19 4:49 pm						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
RHOADS, Karl, Chr.		✓				LEE, Chris, Chr.		✓			
GABBARD, Mike					✓	MORIKAWA, Dee		✓			
KIM, Donna Mercado		✓				SAN BUENAVENTURA, Joy A.		✓			
FEVELLA, Kurt		✓				THIELEN, Cynthia		✓			
TOTAL		3	0	0	1	TOTAL		4	0	0	0
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused				
Senate Recommendation is:					House Recommendation is:						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:						
											
Distribution:		Original		Yellow		Pink		Goldenrod			
		File with Conference Committee Report		House Clerk's Office		Senate Clerk's Office		Drafting Agency			