

ACT 108

S.B. NO. 1161

A Bill for an Act Relating to Domestic Abuse.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 586-10.5, Hawaii Revised Statutes, is amended to read as follows:

“§586-10.5 Reports by the department of human services[-]; court responsibilities. In cases where there are allegations of domestic abuse involving a family or household member who is a minor or an incapacitated person as defined in section 560:5-102, the employee or appropriate nonjudicial agency designated by the family court to assist the petitioner shall report the matter to the department of human services, as required under chapters 350 and 587, and shall further notify the department of the granting of the temporary restraining order and of the hearing date. The department of human services shall provide the family court with ~~[an oral or]~~ a written report [of the investigation's progress on or] on the disposition of the referral. The court shall file the report and mail it to the petitioner and respondent at least two working days before the hearing date[-], if possible. If circumstances prevent the mailing of the report as required in this section, the court shall provide copies of the report to the petitioner and respondent at the hearing. The report shall be noted in the order dismissing the petition or granting the restraining order.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on January 1, 2008.

(Approved May 29, 2007.)