

ACT 85

H.B. NO. 968

A Bill for an Act Relating to Domestic Abuse Protective Orders.

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

SECTION 1. Section 586-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A temporary restraining order granted pursuant to this chapter shall remain in effect at the discretion of the court, for a period not to exceed ~~ninety~~ one hundred eighty days from the date the order is granted[-] or until the effective date, as defined in section 586-5.6, of a protective order issued by the court, whichever occurs first.”

SECTION 2. Section 586-5.6, Hawaii Revised Statutes, is amended to read as follows:

“**§586-5.6 Effective date.** The temporary restraining order shall be effective as of the date of signing and filing; provided that if a temporary restraining order is granted orally in the presence of all the parties and the court determines that each of the parties understands the order and its conditions, if any, then the order shall be effective as of the date it is orally stated on the record by the court until further order of the court. 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; provided that all oral protective orders shall be reduced to writing and issued forthwith. The judiciary shall provide forms which will enable the court to issue all temporary restraining orders forthwith.”

**SECTION 3.** This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

**SECTION 4.** Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

**SECTION 5.** This Act shall take effect upon its approval.

(Approved June 8, 2011.)