

ACT 259

S.B. NO. 45

A Bill for an Act Relating to Minors.

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

SECTION 1. The legislature finds that adolescence can be a challenging time for young people. During this stage of life, adolescents are navigating new experiences while encountering potential changes in their social spheres,

including their relationships with peers and family members. Adolescents' romantic relationships can cause tension between family members, such as when parents do not want their child to date, advise their child against entering into a relationship with a particular person, or express disapproval of their child's dating relationship. It is not uncommon for some adolescents to keep private the details, in particular any problems or challenges, of their romantic relationships.

The legislature also finds that adolescents in abusive romantic relationships that were entered into without parental approval may be reluctant to approach their parents for assistance. Some adolescents have the option of seeking the help of another trusted adult who is not their parent, such as a school counselor or domestic violence victim advocate. This other person may be able to help obtain a protective order when it is necessary for the adolescent's safety and protection. However, not all adolescents have access to such a person.

The purpose of this Act is to allow minors sixteen years of age or older, on their own behalf, and emancipated minors to petition for domestic abuse protective orders.

SECTION 2. Section 586-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) A petition for relief under this chapter may be made by:

- (1) Any family or household member on the member's own behalf or on behalf of a family or household member who is a minor or who is an incapacitated person as defined in section 560:5-102 or who is physically unable to go to the appropriate place to complete or file the petition; ~~or~~
- (2) Any state agency on behalf of a person who is a minor or who is an incapacitated person as defined in section 560:5-102 or a person who is physically unable to go to the appropriate place to complete or file the petition on behalf of that person~~[-];~~
- (3) Any minor sixteen years of age or older on their own behalf without the consent of a parent or legal guardian; or
- (4) Any minor deemed emancipated pursuant to section 577-25.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Became law on July 11, 2023, without the Governor's signature, pursuant to Art. III, §16, State Constitution.)