

STAND. COM. REP. NO. 1490

Honolulu, Hawaii

April 9, 2015

RE: S.B. No. 226
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 226, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBER,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Define "business day" for purposes of calculating the period of separation imposed in conjunction with the offense of abuse of family or household members; and
- (2) Rather than specifying a 48-hour period of separation, instead specifying that the period of separation imposed by a police officer shall commence when the order is issued and expire at 6:00 p.m. on the second business day following the day the order was issued.

The Council Member of District 3, Hawaii County Council; the Council Chair, Kauai County Council; a Council Member, Kauai County Council; Department of the Prosecuting Attorney, City and County of Honolulu; Office of the Prosecuting Attorney, County of Kauai; Department of the Prosecuting Attorney, County of Maui; and the Honolulu Police Department testified in support of this measure. The Office of the Public Defender opposed this measure.

SB226 HD1 HSCR JUD HMS 2015-3128



Your Committee has amended this measure by changing its effective date to take effect upon its approval.

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 S.B. No. 226, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 226, S.D. 2, H.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



HSCR 1490

Bill/Resolution No.: SB 226, SD2	Committee Referral: JUD	Date: 4/7/15		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X			
2. SAN BUENAVENTURA, Joy A. (VC)	X			
3. BELATTI, Della Au				X
4. BROWER, Tom	X			
5. CREAGAN, Richard P.	X			
6. HASHEM, Mark J.	X			
7. KAWAKAMI, Derek S.K.				PP
8. LEE, Chris				
9. MORIKAWA, Dee	X			
10. NAKASHIMA, Mark M.				P
11. TAKAYAMA, Gregg	X			
12. WOODSON, Justin H.	X			
13. McDERMOTT, Bob	X			
14. THIELEN, Cynthia	X			
TOTAL (14)	10			4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				