
A BILL FOR AN ACT

RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

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

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

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

11 "§586-5.6 **Effective date.** The temporary restraining order
12 shall be effective as of the date of signing and filing;
13 provided that if a temporary restraining order is granted orally
14 in the presence of all the parties and the court determines that
15 each of the parties understands the order and its conditions, if
16 any, then the order shall be effective as of the date it is
17 orally stated on the record by the court until further order of
18 the court. Protective orders orally stated by the court on the



1 record shall be effective as of the date of the hearing if the
2 respondent attends the hearing or, if the respondent was served
3 but failed to appear, then upon service of the protective order
4 upon the respondent until further order of the court; provided
5 that all oral protective orders shall be reduced to writing and
6 issued forthwith. The judiciary shall provide forms which will
7 enable the court to issue all temporary restraining orders
8 forthwith."

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

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 Statutory material to be repealed is bracketed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

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



Report Title:

Domestic Abuse; Temporary Restraining Orders; Protective Orders

Description:

Allows a temporary restraining order to remain in effect for up to 180 days or until the protective order's effective date, whichever occurs first. Provides when protective orders orally stated by the court shall be effective. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

