

STAND. COM. REP. NO.

2368

Honolulu, Hawaii

FEB 06 2020

RE: S.B. No. 2346

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 2346 entitled:

"A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS, PROTECTIVE ORDERS, AND INJUNCTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that the effective period of a protective order, temporary restraining order, or injunction that restrains any party from contacting, threatening, or physically abusing or harassing a minor may extend to a date after the minor has reached 18 years of age.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network, American Association of University Women-Hawaii, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, and two individuals.

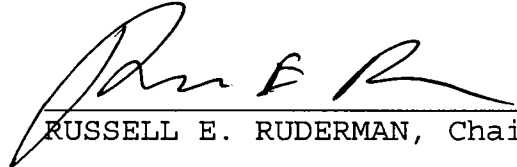
Your Committee finds that temporary restraining orders, protective orders, and injunctions that restrains a person from contacting, threatening, physically abusing, or harassing a minor typically are issued to expire when the minor reaches the age of majority because there is ambiguity whether the courts have the authority to issue these orders for a period that extends beyond the date when the minor turns eighteen years of age. This forces the now eighteen-year-old who was previously protected to return to court to obtain a new court order.



This measure therefore clarifies that the courts have the authority to issue temporary restraining orders, protective orders, and injunctions for up to a reasonable period of time after a protected minor reaches the age of majority.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2346 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,



RUSSELL E. RUDERMAN, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 2346	Committee Referral: HMS, JDC	Date: 1/29/20		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RUDERMAN, Russell E. (C)	✓			
RHOADS, Karl (VC)	✓			
IHARA, Jr., Les	✓			
RIVIERE, Gil	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes