

STAND. COM. REP. NO. 668

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 1213
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 1213 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to allow an
employer to seek a temporary restraining order and injunction
against harassment of an employee or invitee who may be harassed
at the employer's worksite.

Your Committee received comments on this measure from the
Judiciary and Hawaii Government Employees' Association.

Your Committee finds that this measure would assist in
reducing instances of workplace violence by allowing employers to
seek protective orders and injunctive relief on behalf of
employees and invitees while they are at the workplace.

Your Committee has amended this measure by:

- (1) Amending the definitions of "employee" and "employer"
and adding a definition for "invitee";
- (2) Removing a provision requiring that an employer pay the
defendant's attorney's fees and costs if the petition is
denied or set aside on appeal;



- (3) Providing that an employee or witness shall not have immunity from liability for an action taken with malicious intent, rather than malice;
- (4) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1213, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1213, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



GILBERT S.C. KEITH-AGARAN, Chair



