

STAND. COM. REP. NO. 597

Honolulu, Hawaii

Feb 18, 2011

RE: H.B. No. 601  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 601 entitled:

"A BILL FOR AN ACT RELATING TO SERVICE ANIMALS,"

begs leave to report as follows:

The purpose of this bill is to:

- (1) Conform state law regarding dog licensing with the Americans With Disabilities Act (ADA);
- (2) Conform state law relating to public places and public conveyances to ADA; and
- (3) Amend the definition of "service animal" and add a definition for "comfort animal" in state law relating to Fair Housing Act requirements for non-discrimination in real property transaction the sale and rental of housing.

The Disability and Communication Access Board, Hawaii Fi-Do Service and Therapy Dogs, and several concerned individuals supported this bill. Two concerned individuals supported the intent of this measure. Hawaii First and a concerned individual opposed this bill. The Hawaii Civil Rights Commission and a concerned individual offered comments.

HB601 HD1 HSCR HSG HMS 2011-2374



Your Committee has amended this bill by, among other things:

- (1) Repealing provisions whereby a dog approved by the Director of Finance to be a service dog will be so designated on the license;
- (2) Repealing the definition of "service dog" under section 143-4, Hawaii Revised Statutes (HRS), relating to the issuance of license and tags, and under section 347-13, HRS, relating to the blind, partially blind, physically handicapped with respect to public places and public conveyances;
- (3) Deleting the definition of "comfort animal" and eliminating references to "comfort animal" throughout the bill;
- (4) Requiring the Director of Finance to adopt rules for the licensure of service dogs, rather than specifying guide and signal dogs;
- (5) Changing terms relating to persons who are blind, deaf, visually impaired, physically handicapped and disabled to "persons with disabilities";
- (6) Changing terms relating to handicapped or physically handicapped person to "person with a physical disability";
- (7) Limiting who can be accompanied by a service dog, to a person with a physical disability;
- (8) Limiting the liability for damage to premises or facilities by a service dog, to a person with a physical disability; and
- (9) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 601, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 601, H.D. 1, and be referred to the Committee on Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committee on Housing,

  
RIDA T.R. CABANILLA, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HRC 597

**Record of Votes of the Committee on Housing**

<b>Bill/Resolution No.:</b> HB 601	<b>Committee Referral:</b> HSG, JUD	<b>Date:</b> 2/16/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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)				
HSG Members	Ayes	Ayes (WR)	Nays	Excused
1. CABANILLA, Rida T.R. (C)	✓			
2. CHONG, Pono (VC)				✓
3. CARROLL, Mele				✓
4. CHANG, Jerry L.	✓			
5. COFFMAN, Denny	✓			
6. HAR, Sharon E.	✓			
7. HERKES, Robert N.	✓			
8. ITO, Ken	✓			
9. MORITA, Hermina M.				✓
10. NAKASHIMA, Mark M.	✓			
11. PINE, Kymerly Marcos	✓			
12. THIELEN, Cynthia	✓			
<b>TOTAL (12)</b>	9			3
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee member(s) did not support recommendation.				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				