

Honolulu, Hawaii

April 8, 2011

RE: S.B. No. 892
S.D. 2
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 892, S.D. 2, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to address provisions in the Hawaii Revised Statutes (HRS) regarding service animals that are either obsolete or inconsistent with federal law.

The Hawaii Civil Rights Commission, Disability and Communication Access Board (DCAB), the City and County of Honolulu Department of Human Resources, Hawaii Fi-Do Service Dogs, and several concerned individuals testified in support of this measure.

Your Committee has amended this measure after consultation with DCAB by:

- (1) Applying the definition of "service dog" to all of chapter 347, HRS, Blind and Visually Handicapped and Other Disabled Persons, clarifying that a companion or comfort animal is not considered a "service dog," unless it meets the statutory definition and it is being used by a person with a disability to perform the work or tasks for which it has been trained;



- (2) Conforming section 142-5.5, HRS, regarding quarantine, and sections 711-1109.4 and 711-1109.5, HRS, relating to criminal offenses against service dogs, to conform to the definition of "service dog" established in chapter 347, HRS;
- (3) Revising the term "visually impaired" to read "visually handicapped" to ensure equality for disabled persons to reflect current usage and making conforming amendments to other statutory provisions;
- (4) Reinstating the language of subsections 347-13(c) and (d), HRS, to comply with the requirements of the title of this measure; and
- (5) Making technical, non-substantive amendments for the purposes of clarity, consistency, and style.

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. 892, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 892, S.D. 2, H.D. 2.

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


GILBERT KEITH-AGARAN, Chair



