

STAND. COM. REP. NO.

1614

Honolulu, Hawaii

April 5, 2013

RE: S.B. No. 328  
S.D. 1  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 328, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ANIMALS,"

begs leave to report as follows:

The purpose of this measure is to increase the number of available rental options for tenants with pets by amending the Residential Landlord-Tenant Code to allow a landlord, as a condition of a rental agreement, to add to the security deposit of a tenant, an amount to compensate for damages caused by an animal that is allowed to reside in the premises.

The Humane Society of the United States, the Hawaiian Humane Society, and numerous individuals supported this measure. The Hawaii Civil Rights Commission, Disability and Communication Access Board, Hawaii Association of REALTORS, and an individual commented on this measure.

Your Committee would like to note the Hawaii Association of REALTORS' request that the effective date of this measure be reflected as November 1, 2013, to give opportunity for the Hawaii Association of REALTORS' commonly-used Rental Agreement to be amended.

SB328 HD2 HSCR JUD HMS 2013-3237



Upon careful consideration, your Committee has amended this measure by:

- (1) Prohibiting the application of the additional security deposit under this measure to any assistance animal that is a reasonable accommodation for a tenant with a disability pursuant to section 515-3, Hawaii Revised Statutes;
- (2) Specifying that an additional security deposit amount for an animal:
  - (A) Shall not be required from any tenant who does not have an animal that resides in the rental premises; and
  - (B) Shall be no more than the amount of one month's rent; and
- (3) Making technical, nonsubstantive amendments for 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. 328, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 328, S.D. 1, H.D. 2.

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



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KARL RHOADS, Chair



