

STAND. COM. REP. NO.

2275

Honolulu, Hawaii

FEB 12 2014

RE: S.B. No. 2049  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and  
Military Affairs, to which was referred S.B. No. 2049 entitled:

"A BILL FOR AN ACT RELATING TO DOG OWNER LIABILITY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the owner of a dog that attacks certain animals or damages property while on the property without consent to be liable for injuries or destruction of the animals and the property; and
- (2) Exempt owners of certain animals that cause injuries or destruction of property while defending themselves against an attack by another dog.

Your Committee received testimony in support of this measure from the Pacific Pet Alliance and one individual. Your Committee received testimony in opposition to this measure from the Hawaiian Humane Society. Your Committee received comments on this measure from the American Kennel Club.

Your Committee finds that dog owners need to be responsible for their dogs' conduct. This measure will require the owner of an attacking dog to be liable for unprovoked injuries or destruction caused by the dog, including the injury or destruction of certain animals, on public or private property, without the consent of the owner.

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Your Committee has amended this measure by:

- (1) Adding language that limits the applicability of section 142-74, Hawaii Revised Statutes, to dogs that attack without provocation; and
- (2) Clarifying that the exemption from section 142-74, Hawaii Revised Statutes, applies to owners of certain animals that cause injuries or destruction of property while defending themselves against an attack by another animal.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2049, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2049, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental and Military  
Affairs,

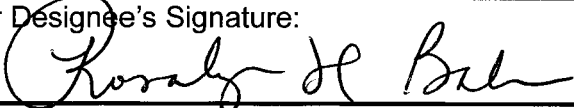


WILL ESPERO, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SB 2049</b>	Committee Referral: <b>PSM, JDL</b>	Date: <b>2-6-2014</b>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh				✓
SLOM, Sam				✓
<b>TOTAL</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes