

Honolulu, Hawaii

APR 23 2013

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

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

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

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 328, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ANIMALS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend the residential landlord-tenant code to allow a landlord to add to a security deposit an additional amount to pay for damages caused by any animal, other than an assistance animal, allowed to reside in the premises pursuant to a rental agreement.

Your Committee on Conference finds that the existing landlord-tenant code permits a landlord to collect a security deposit in an amount not to exceed one month's rent. Because of the current limit on security deposits, many landlords refuse to rent to pet owners. Your Committee on Conference further finds that this measure would permit the use of pet deposits in rental agreements, thus ensuring



that landlords will be compensated for any damage done to a rental unit by a pet animal. This measure also acknowledges that landlords are not permitted to require a security deposit for an assistance animal for a person with a disability, thus conforming to federal and state fair housing laws.

Your Committee on Conference has amended this measure by:


- (1) Clarifying that a landlord may collect an additional amount to pay for damages caused by any pet animal, rather than any animal, allowed to reside in the premises pursuant to the rental agreement;
- (2) Clarifying that the additional security deposit for a pet animal shall not be required from any tenant who does not have a pet animal, rather than requiring an additional security deposit for any animal that resides in the premises; and
- (3) Inserting an effective date of upon approval; provided that section 1 of this measure shall apply to all rental agreements entered into on or after November 1, 2013.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 328, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 328, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ANGUS L.K. MCKELVEY, Co-Chair



ROSALYN H. BAKER, Chair



KARL RHOADS, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 328, SD 1, HD 2	Date/Time: 4/18/13 / 2:55 PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

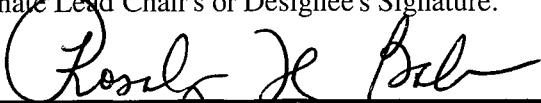
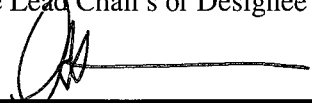
The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				MCKELVEY, Angus L.K., Co-Chr.	✓			
GALUTERIA, Brickwood	✓				RHOADS, Karl, Co-Chr.	✓			
SLOM, Sam	✓				BROWER, Tom	✓			
					THIELEN, Cynthia	✓			
TOTAL	3	-	-	-	TOTAL	4			

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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Distribution: **Original** **Yellow** **Pink** **Goldenrod**
File with Conference Committee Report *House Clerk's Office* *Senate Clerk's Office* *Drafting Agency*