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## HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE THE  
IMPLEMENTATION OF ACT 217, SESSION LAWS OF HAWAII 2018,  
REGARDING MISREPRESENTATION OF SERVICE ANIMALS.

1           WHEREAS, a service animal is an animal that is individually  
2 trained to work or perform tasks for a person with a disability;  
3 and  
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5           WHEREAS, the misrepresentation of pets and other non-  
6 service animals as service animals diminishes the respect given  
7 to service animals and can create challenges for individuals who  
8 use the services of legitimate service animals; and  
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10           WHEREAS, Act 217, Session Laws of Hawaii 2018 (Act 217),  
11 established a civil penalty for knowingly misrepresenting an  
12 animal as a service animal; and  
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14           WHEREAS, the prohibition against misrepresentation of a  
15 service animal is placed in chapter 347, Hawaii Revised  
16 Statutes, which is administered by the Department of Human  
17 Services; and  
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19           WHEREAS, questions have arisen about Act 217, including the  
20 means to enforce the prohibition and the sufficiency of the  
21 language to address the issue; and  
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23           WHEREAS, guidance about misrepresentation of a service  
24 animal is needed to adequately inform law enforcement officers  
25 and the business community of the law; now, therefore,  
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27           BE IT RESOLVED by the House of Representatives of the  
28 Thirtieth Legislature of the State of Hawaii, Regular Session of  
29 2019, that the Department of Human Services, in consultation  
30 with the Hawai'i Civil Rights Commission and the Disability and  
31 Communication Access Board, is requested to examine and report  
32 on the implementation of Act 217, including:  
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- 1 (1) How to enforce the prohibition against
- 2 misrepresentation of a service animal;
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- 4 (2) Whether administrative rules need to be adopted;
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- 6 (3) How to better oversee and regulate service animals;
- 7 and
- 8
- 9 (4) Whether additional legislation is necessary; and


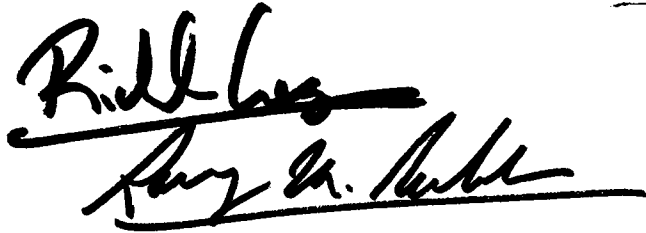

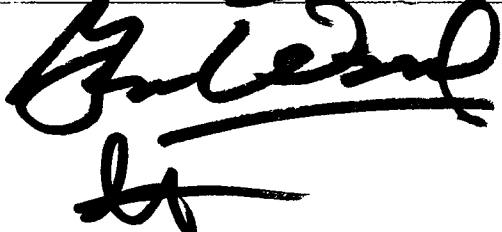
10  
 11 BE IT FURTHER RESOLVED that the Department of Human  
 12 Services, in consultation with the Hawai'i Civil Rights  
 13 Commission and the Disability and Communication Access Board, is  
 14 requested to issue guidance about misrepresentation of a service  
 15 animal for use by law enforcement and the business community;  
 16 and

17  
 18 BE IT FURTHER RESOLVED that the Department of Human  
 19 Services is requested to develop a public outreach campaign to  
 20 educate places of accommodations as well as the public as to the  
 21 important work that legitimate service animals do and why it is  
 22 important for service animals to assist their owners; and

23  
 24 BE IT FURTHER RESOLVED that the Department of Human  
 25 Services is requested to submit a report of its findings and  
 26 recommendations to the Legislature, including any proposed  
 27 legislation, no later than twenty days prior to the convening of  
 28 the regular session of 2020; and

29  
 30 BE IT FURTHER RESOLVED that certified copies of this  
 31 Resolution be transmitted to the Director of Human Services,  
 32 Executive Director of the Hawai'i Civil Rights Commission, and  
 33 Executive Director of the Disability and Communication Access  
 34 Board.

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 37

OFFERED BY:   
  
  




H.R. NO. 183

John M. [Signature]  
Lyn DeCristo  
B. Falvo

MAR 08 2019

