

STAND. COM. REP. NO.

1854

Honolulu, Hawaii

APR 09 , 2021

RE: S.B. No. 280
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 280, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FAIR HOUSING REASONABLE ACCOMMODATIONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Codify the administrative definition of "assistance animal" for the purposes of real estate transactions;
- (2) Clarify the type of verification an individual may provide to establish the need for an assistance animal; and
- (3) Specify that the possession of a vest or other distinguishing animal garment, tag, or registration document commonly purchased online and purporting to identify an animal as a service animal or assistance animal does not constitute a valid verification of a disability-related need for an assistance animal.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Hawaii Disability Rights Center, Hawai'i Association of REALTORS, Associa, and two

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individuals. Your Committee received comments on this measure from the Disability and Communication Access Board and Community Associations Institute.

Your Committee finds that a person with a disability that includes the use of an assistance animal should be provided equal opportunity to use and enjoy a housing accommodation. Your Committee further finds that the requirements imposed by this measure strike an appropriate balance between the needs of both parties to the real estate transaction.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, verification of the disability-related need for an assistance animal as a reasonable accommodation, when the need is not readily apparent, to be in writing; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 280, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 280, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,


MARK M. NAKASHIMA, Chair



