

Honolulu, Hawaii

MAR 24 , 2022

RE: S.B. No. 2002
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Housing, to which was referred S.B. No. 2002, S.D. 2, 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) Define "assistance animal" in the context of existing state law that prohibits discrimination in real property transactions;
- (2) Codify the administrative process that allows an owner or other person engaging in a real estate transaction to request that a person claiming a disability provide verification to establish the disability-related need for a specific assistance animal as a reasonable accommodation; and
- (3) Specify that the possession of a vest or other distinguishing animal garment, tag, or registration document that is commonly purchased online and purports to identify an animal as a service animal or assistance animal does not constitute valid verification.



Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Disability and Communication Access Board, Hawai'i Association of REALTORS, and Community Associations Institute Legislative Action Committee.

Your Committee finds that under federal and state fair housing laws, landlords may allow assistance animals in rental properties that otherwise do not allow pets. For landlords seeking to properly follow the fair housing laws, this can create problems discerning between a legitimate request from a person with a disability and a person who simply wishes to keep a pet in their rental unit. This measure clarifies the information that landlords may reasonably request from a person regarding verification of the assistance animal related to the person's housing request and expressly clarifies that possession of a garment or registration document purchased online does not constitute valid verification of an animal as a service animal or assistance animal.

Your Committee has amended this measure by:

- (1) Changing the effective date to November 1, 2022; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2002, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2002, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



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

Nadine K. Nakamura

NADINE K. NAKAMURA, Chair



