

Honolulu, Hawaii

FEB 08 2022

RE: S.B. No. 2438
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2438 entitled:

"A BILL FOR AN ACT RELATING TO SERVICE ANIMALS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require that a disclaimer be provided by sellers or providers of emotional support animals, or certificates, identifications, tags, vests, leashes, and harnesses for emotional support animals, that the animal is not a service animal; and
- (2) Establish penalties for violations.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Human Services and Hawaiian Humane Society.

Your Committee finds that service animals are entitled to certain protections under state law and that emotional support animals are not included in the definition of service animals. Frequent misrepresentations that a pet or emotional support animal is a service animal can lead to some businesses becoming skeptical that a service animal is, in fact, a legitimate service animal,



which can lead to complications for persons with disabilities that rely on their service animals. This measure will help ensure people are more properly educated with regard to the status of emotional support animals and curb misrepresentations.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2438, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2438, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



