

STAND. COM. REP. NO.

1385

Honolulu, Hawaii

MAR 25 , 2021

RE: S.B. No. 280
H.D. 1

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

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred S.B. No. 280 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, Associa, Hawaii Disability Rights Center, Hawai'i Association of REALTORS, and one

2021-2832 SB280 HD1 HSCR HMSO



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

Your Committee finds that the statutory definition of "service animal", which is used in the general context of the Americans with Disabilities Act, is limited to a dog that has been trained to do work or perform a specific task to assist a person with a disability, while the term "assistance animal", which is used in the context of federal and state fair housing laws, applies more broadly to a wider category of animals who provide support, including emotional support animals and service animals. Your Committee further finds that while "assistance animal" is not codified in statute, it is defined in the Hawaii Administrative Rules. This measure provides clarity on the type of information that may be used when verifying the need for an assistance animal in a real estate transaction.

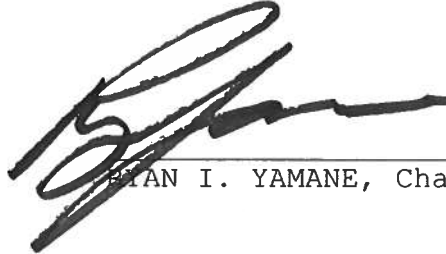
Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 280, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 280, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Health, Human
Services, & Homelessness,



BRIAN I. YAMANE, Chair



