

STAND. COM. REP. NO.

688

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 280

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary, 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 and intent of this measure is to:

- (1) Codify the administrative rule definition of "assistance animal";
- (2) Clarify the type of verification an individual may provide to substantiate a reasonable accommodation request for a specific assistance animal; and
- (3) Specify that possession of items or registration documents commonly purchased online to identify an animal as a service animal does not constitute 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, Associa Hawaii, Hawai'i Association of REALTORS, and two individuals. Your Committee received comments on this measure from the Disability and Communication Access Board and Community Associations Institute Legislative Action Committee.



Your Committee finds that under the federal and state fair housing laws, landlords may allow "assistance animals" in rental properties that otherwise do not allow pets. For landlords seeking to follow the fair housing laws, this can create problems discerning between a legitimate request from a person with a disability and those from persons who simply wish to keep a pet in their rental unit. This measure provides clarification on what information a landlord might reasonably request from an individual to verify the need for an assistance animal.

Your Committee also finds that there is no national registry or certification for assistance animals. In the absence of such a system, some pet owners use items or registration documents that are commonly purchased online purporting to identify an animal as a service or assistance animal. This measure clarifies that such items and documents, by themselves, do not establish an animal as a service or assistance animal.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 280 and recommends that it pass Third Reading.

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



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KARL RHOADS, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes  
Committee on Judiciary  
JDC**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 280	HMS, JDC	02/24/2021

The Committee is reconsidering its previous decision on this measure.  
If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     Pass, with amendments 2311     Hold 2310     Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt		✓		
<b>TOTAL</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>0</b>

Recommendation:  Adopted     Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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\*Only one measure per Record of Votes