

STAND. COM. REP. NO. 1570

Honolulu, Hawaii

APR 09 2021

RE: H.B. No. 1086  
H.D. 1  
S.D. 1

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 H.B. No. 1086, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VETERINARIANS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Provide veterinarians who provide emergency care to an animal, immunity from civil liability in the absence of gross negligence;
- (2) Provide veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship, immunity from civil liability in the absence of gross negligence; and
- (3) Require veterinarians to report events of animal injury, death, or abuse to law enforcement where there is reasonable cause to believe that it relates to dogfighting or animal abuse and provide veterinarians immunity from civil liability for making the reports.

Your Committee received testimony in support of this measure from the Hawaii Board of Veterinary Medicine; Hawaiian Humane Society; Hawaii Veterinary Medical Association, Inc.; Pono



Advocacy, LLC; Hawaii Association of Animal Welfare Agencies; Animal Rights Hawai'i; and forty-four individuals.

Your Committee finds that, under existing law, if an animal is taken to a veterinarian with non-life threatening injuries and there is no owner present nor a preexisting veterinarian-client-patient relationship, the veterinarian is only permitted to provide pain medications and antibiotics for a certain number of days, depending on whether the animal is microchipped. In some situations, veterinarians must wait to perform important surgeries or other essential procedures to provide animals with necessary relief. Accordingly, this measure allows a veterinarian to be a "good Samaritan" and provide emergency care outside of a preexisting veterinarian-client-patient relationship, while also protecting the veterinarian from civil liability when assisting an animal in need during an emergency. This measure also provides justified guidance to practicing veterinarians on reporting acts of animal abuse, cruelty, and staged fighting, similar to the laws in place in over twenty other states in the country. Reporting such events to law enforcement is beneficial to the community at large, as multiple studies have shown a link between perpetrators of animal abuse and domestic or child abuse, and other acts of violence. This measure is therefore important to help advance these significant public interests.

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 H.B. No. 1086, H.D. 1, S.D. 1, 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:		
HB1086, HD1, SD1	CPN, JDC	4/1/2024		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> 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>	7	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes