

STAND. COM. REP. NO.

1099

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 612
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 612, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require sellers or providers of emotional support animals and sellers or providers of certificates, identifications, tags, vests, leashes, and harnesses identifying an animal as an emotional support animal to provide a disclaimer that the animal is not a service animal and the user is not accorded by law the same rights and privileges as those of service animal users; and
- (2) Establish penalties for violations of these requirements.

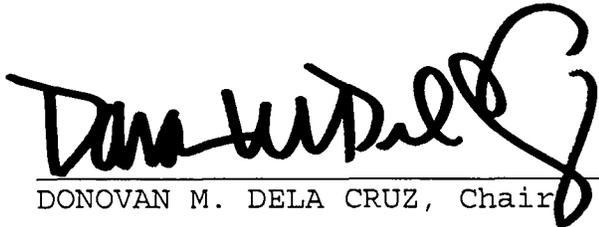
Your Committees received testimony in support of this measure from the Department of Human Services, Disability and Communication Access Board, and one individual. Your Committees received comments on this measure from the Hawai'i Civil Rights Commission.



Your Committees find that many people are unaware of the difference between a service animal and an emotional support animal. To qualify as a service animal pursuant to state law, a dog must be individually trained to do work or perform tasks for the benefit of an individual with a disability. The same training is not required of an animal designated as an emotional support animal. Due to this difference in training, emotional support animals misrepresented as service animals can endanger the health and safety of individuals with disabilities by distracting their service animals. To protect the health and safety of these individuals, this measure reduces the unwitting misrepresentation of emotional support animals as service animals by requiring disclaimers regarding an animal's certification and a user's rights and privileges upon receipt of an emotional support animal or emotional support animal certificate or accessory.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 612, S.D. 1, and recommend that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,



DONOVAN M. DELA CRUZ, Chair

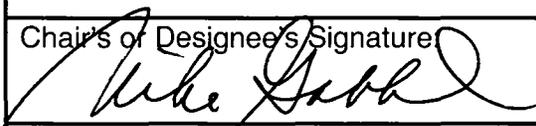


KARL RHOADS, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

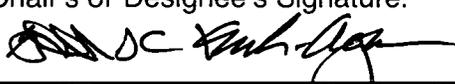
**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:* SB 612 SD1	Committee Referral: CPN, JDC/WAM	Date: 3/3/23		
<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)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB612, SD1	Committee Referral: OPN, JDC/WAM	Date: 3/3/23		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt				X
TOTAL	12			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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