
A BILL FOR AN ACT

RELATING TO PET ANIMALS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that pet ownership can
2 complicate a pet owner's search for housing. Pet owners may
3 encounter barriers when trying to buy or rent a home due to
4 various factors, such as difficulties obtaining homeowners
5 insurance, breed restrictions in insurance policies, and
6 expensive pet deposits. The legislature recognizes that these
7 housing difficulties can lead to some pet owners surrendering or
8 rehoming their pet animals, which can have a detrimental impact
9 on both the owner and the pet animal and can strain the
10 resources of animal rescue organizations. A recent survey of
11 households on Oahu found that thirty per cent of respondents
12 were forced to surrender a pet in the past five years and that
13 the lack of pet friendly housing was the number one reason cited
14 for why the pet was surrendered.

15 Accordingly, the purpose of this Act is to provide
16 protections for pet owners and pet animals by:



1 (1) Prohibiting insurers from refusing to issue or renew,
2 canceling, restricting, otherwise terminating, or
3 charging higher rates for a commercial general
4 liability insurance policy, homeowners insurance
5 policy, renters insurance policy, or dwelling fire
6 policy based on the breed of any dog that is kept on
7 the insured premises;

8 (2) Prohibiting landlords from charging additional monthly
9 fees for the keeping of a pet animal, except in
10 certain circumstances; and

11 (3) Limiting the monetary amount that a landlord may
12 charge for a pet deposit.

13 SECTION 2. Chapter 431, Hawaii Revised Statutes, is
14 amended by adding a new part to article 10 to be appropriately
15 designated and to read as follows:

16 **"PART . MISCELLANEOUS PROVISIONS**

17 **§431:10- Breed restrictions; prohibited.** (a) No
18 insurer shall deny or refuse to accept an application for
19 insurance, refuse to insure, refuse to renew, cancel, restrict,
20 or otherwise terminate a commercial general liability insurance
21 policy or charge a different rate for the same coverage, on the



1 basis of the breed of any dog that is kept on the insured
2 premises.

3 (b) Notwithstanding subsection (a), an insurer may refuse
4 to insure, refuse to renew, cancel, restrict, or otherwise
5 terminate a commercial general liability insurance policy or
6 charge a different rate for the same coverage, if a dog being
7 kept on the insured premises has been declared a vicious or
8 dangerous dog by a county law enforcement agency."

9 SECTION 3. Chapter 431, Hawaii Revised Statutes, is
10 amended by adding a new part to article 10E to be appropriately
11 designated and to read as follows:

12 "PART . MISCELLANEOUS PROVISIONS

13 §431:10E- Breed restrictions; prohibited. (a) No
14 insurer shall deny or refuse to accept an application for
15 insurance, refuse to insure, refuse to renew, cancel, restrict,
16 or otherwise terminate a homeowners insurance policy, renters
17 insurance policy, or dwelling fire policy, or charge a different
18 rate for the same coverage, on the basis of the breed of any dog
19 that is kept on the insured premises.

20 (b) Notwithstanding subsection (a), an insurer may refuse
21 to insure, refuse to renew, cancel, restrict, or otherwise



1 terminate a homeowners insurance policy, renters insurance
2 policy, or dwelling fire policy, or charge a different rate for
3 the same coverage, if a dog being kept on the insured premises
4 has been declared a vicious or dangerous dog by a county law
5 enforcement agency."

6 SECTION 4. Section 521-21, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "§521-21 Rent. (a) The landlord and tenant may agree to
9 any consideration, not otherwise prohibited by law, as rent. In
10 the absence of such agreement, and subject to section 521-71(e)
11 in the case of holdover tenants, the tenant shall pay to the
12 landlord the fair rental value for the dwelling unit.

13 (b) Rents shall be payable at the time and place agreed to
14 by the parties. Unless otherwise agreed, the entire rent shall
15 be payable at the beginning of any term for one month or less,
16 and for longer terms in equal monthly installments payable at
17 the beginning of each month. When a rental agreement with a
18 public assistance recipient requires that the rent be paid on or
19 before the third day after the day on which the public
20 assistance check is usually received, the tenant shall have the
21 option of establishing a new due date by making a one-time



1 payment to cover the period between the original due date and
2 the newly established date. The new date shall not exceed by
3 more than three days, excluding Saturdays, Sundays, and
4 holidays, the date on which checks are mailed. The one-time
5 payment shall be established by dividing the monthly rental by
6 thirty and multiplying the result by the number of days between
7 the original and the new due dates.

8 (c) Except as otherwise provided in subsection (b), rent
9 shall be uniformly apportionable from day to day.

10 (d) When the tenancy is from month to month, the amount of
11 rent for such tenancy shall not be increased by the landlord
12 without written notice given forty-five consecutive days prior
13 to the effective date of the increase.

14 (e) When the tenancy is less than month to month, the
15 amount of rent for such tenancy shall not be increased by the
16 landlord without written notice given fifteen consecutive days
17 prior to the effective date of the increase.

18 (f) Where the rental agreement provides for a late charge
19 payable to the landlord for rent not paid when due, the late
20 charge shall not exceed eight per cent of the amount of rent
21 due.



1 (g) Landlords shall not charge any additional monthly fees
2 associated with keeping a pet animal; provided that a landlord
3 of a multi-dwelling unit with dedicated common areas for pet
4 animals may charge an additional rent of no more than 0.5 per
5 cent of the tenant's gross rent; provided further that this
6 amount shall be utilized exclusively to provide maintenance to
7 common areas dedicated for pet animals."

8 SECTION 5. Section 521-44, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) The landlord may require, as a condition of a rental
11 agreement, a security deposit to be paid by or for the tenant
12 for the items in subsection (a) and no others in an amount not
13 in excess of a sum equal to one month's rent, plus an amount
14 agreed upon by the landlord and tenant to compensate the
15 landlord for any damages caused by any pet animal allowed to
16 reside in the premises pursuant to the rental agreement;
17 provided that the additional security deposit amount for a pet
18 animal under this subsection:

19 (1) Shall not be required:

20 (A) From any tenant who does not have a pet animal
21 that resides in the premises; or



1 (B) For an assistance animal that is a reasonable
2 accommodation for a tenant with a disability
3 pursuant to section 515-3; and

4 (2) Shall be in an amount not in excess of a sum equal to
5 one third of one month's rent.

6 The landlord may not require or receive from or on behalf of a
7 tenant at the beginning of a rental agreement any money other
8 than the money for the first month's rent and a security deposit
9 as provided in this section. No part of the security deposit
10 shall be construed as payment of the last month's rent by the
11 tenant, unless mutually agreed upon, in writing, by the landlord
12 and tenant if the tenant gives forty-five days' notice of
13 vacating the premises; in entering such agreement, the landlord
14 shall not be deemed to have waived the right to pursue legal
15 remedies against the tenant for any damages the tenant causes.
16 Any such security deposit shall be held by the landlord for the
17 tenant and the claim of the tenant to the security deposit shall
18 be prior to the claim of any creditor of the landlord, including
19 a trustee in bankruptcy, even if the security deposits are
20 commingled."

21 SECTION 6. New statutory material is underscored.



1 SECTION 7. This Act shall take effect upon its approval
2 and shall apply to:

3 (1) All commercial general liability insurance policies,
4 homeowners insurance policies, renters insurance
5 policies, and dwelling fire policies offered,
6 delivered, issued, or renewed on or after the
7 effective date of this Act; and

8 (2) All rental agreements entered into or renewed on or
9 after the effective date of this Act.

10

INTRODUCED BY:



JAN 17 2025



H.B. NO. 699

Report Title:

Pet Animals; Commercial General Liability Insurance Policies; Homeowners Insurance Policies; Renters Insurance Policies; Dwelling Fire Policies; Breed Restrictions; Landlord-Tenant Code; Rent; Security Deposits

Description:

Prohibits insurers from refusing to issue or renew, canceling, restricting, otherwise terminating, or charging higher rates for a commercial general liability insurance policy, homeowners insurance policy, renters insurance policy, or dwelling fire policy based on the breed of any dog that is kept on the insured premises. Prohibits landlords from charging additional monthly fees for the keeping of a pet animal, except in certain circumstances. Prohibits landlords from charging more than one-third of one month's rent as an additional pet animal security deposit.

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