

STAND. COM. REP. NO.

444

Honolulu, Hawaii

FEB 13 2025

RE: S.B. No. 1493
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which
was referred S.B. No. 1493 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require sellers
or providers of emotional support animals, and sellers or
providers of certificates and identification tags for emotional
support animals, to provide customers or recipients with a
disclaimer stating that an emotional support animal is not a
service animal under state law and that misrepresenting an
emotional support animal as a service animal is a violation of law
subject to penalties.

Your Committee received testimony in support of this measure
from the Disability and Communication Access Board, Hawaii Council
of Community Associations, Hawaii Fi-Do Service Dogs, National
Federation of the Blind of Hawaii, National Organization of
Parents of Blind Children, NFIB, and seven individuals.

Your Committee received comments on this measure from the
Department of the Attorney General, Department of Human Services,
and Hawai'i Association of REALTORS.

Your Committee finds that there is a widespread
misunderstanding among the public regarding the distinction



between a service animal, as defined under state and federal law, and an emotional support animal. While emotional support animals can provide significant comfort and companionship, they do not undergo the same specialized training required to qualify as a service animal, and are thus not entitled to the same legal protections and accommodations. This misrepresentation can create significant challenges for individuals with disabilities who rely on fully trained service animals for their daily activities. This measure will help curb misrepresentation and better inform the public of the difference between service animals and emotional support animals.

Your Committee has amended this measure by:

- (1) Inserting language that requires a person or business that sells or provides an animal for use as an emotional support animal to also include in its written notice that the user of an emotional support animal is not entitled to the same rights and privileges accorded by law to a service animal;
- (2) Inserting language requiring a person or business who provides verification of the disability related need for an emotional support animal to provide a written notice to the buyer or recipient that includes certain statements;
- (3) Requiring a person or business that sells or provides a certificate, vest, or identification tag that identifies an animal as an emotional support animal to include in its written notice to the buyer the following:
 - (A) The item cannot be used to establish the emotional support animal as a service animal; and
 - (B) The item does not entitle the user of an emotional support animal to the same rights and privileges accorded by law to a service animal;
- (4) Inserting additional legislative findings;
- (5) Updating section 1 to reflect its amended purpose;



- (6) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1493, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1493, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



FARRETT KIOHOKALO, Chair



Record of Votes
Committee on Commerce and Consumer Protection
CPN

*Only one measure per Record of Votes