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# A BILL FOR AN ACT

RELATING TO SERVICE ANIMALS.

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

1           SECTION 1. The legislature finds that service animals  
2 perform an essential duty for which they are highly trained for  
3 the members of our disabled community by working or performing  
4 tasks for individuals with a physical, sensory, intellectual, or  
5 mental disability. For example, a typical service dog receives  
6 twelve to eighteen months of specialized training to assist its  
7 future owner and properly behave in areas where other animals  
8 are prohibited. Federal and state law require that service  
9 animals have equal access to office buildings, restaurants,  
10 hotels, common carriers, and other areas when accompanying their  
11 owners or handlers.

12           However, there are instances when nondisabled individuals  
13 exploit service animals' access to buildings and other  
14 establishments by purchasing false service animal badges on the  
15 Internet, for as little as \$20, and bringing their untrained  
16 animals into restaurants, retail stores, and other areas where  
17 non-service animals are prohibited. This practice erodes the  
18 legitimacy of the entire service animal program, potentially



1 endangers service animals and jeopardizes the public, and  
2 violates many health regulations.

3 The purpose of this Act is to protect the public and the  
4 legitimacy of the service animal program by establishing a  
5 violation for falsely presenting an animal as a service animal.

6 SECTION 2. Chapter 347, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9 "§347- False presentation of an animal as a service  
10 animal. (a) No person shall knowingly present an animal as a  
11 service animal if that animal is not individually trained to do  
12 work or perform tasks for the benefit of an individual with a  
13 disability.

14 (b) Any person who knowingly presents an animal as a  
15 service animal in violation of this section shall be guilty of a  
16 violation and shall be fined not more than \$1,000. Each  
17 presentation of an animal as a service animal in violation of  
18 this section shall constitute a separate offense."

19 SECTION 3. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Animal Control; Service Animals; False Presentation

**Description:**

Makes it a violation to falsely present an animal as a service animal if that animal is not individually trained to do work or perform tasks for the benefit of an individual with a disability. (HB1420 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

