

STAND. COM. REP. NO. 982

Honolulu, Hawaii
March 15, 2013

RE: S.B. No. 635
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred S.B. No. 635, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY,"

begs leave to report as follows:

The purpose of this measure is to protect law enforcement animals in the line of duty by:

- (1) Amending the existing offenses of causing injury or death to a service dog and intentional interference with the use of a service dog to include law enforcement animals; and
- (2) Adding language to the existing penal code provisions that provides exceptions to the offenses, establishes penalties, provides for restitution to affected parties, establishes an affirmative defense, and defines "law enforcement animal".

The Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and Maui Police Department supported this measure with amendments. The Hawaii Police Department supported the intent of the measure.

SB635 HD1 HSCR PBS HMS 2013-2744



Your Committee has amended this measure by:

- (1) Streamlining language in provisions establishing the offenses;
- (2) Clarifying the conduct that constitutes the offense of intentional interference with the use of a service dog or law enforcement animal;
- (3) Deleting the affirmative defense;
- (4) Clarifying provisions related to restitution to owners, entities, or organizations that use law enforcement animals;
- (5) Amending the penalty for causing injury or death to a service dog or law enforcement animal to a class C felony; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 635, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 635, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,

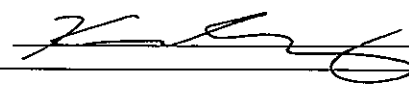

HENRY J.C. AQUINO, Chair



HECK 982

State of Hawaii
House of Representatives
The Twenty-seventh Legislature

Record of Votes of the Committee on Public Safety

Bill/Resolution No.: SB 635, SD1	Committee Referral: PBS, JUD, FKI	Date: March 14, 2013		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)	✓			
2. ING, Kaniela (VC)	✓			
3. HASHEM, Mark J.	✓			
4. ICHIYAMA, Linda				✓
5. NAKASHIMA, Mark M.	✓			
6. TAKUMI, Roy M.				✓
7. YAMANE, Ryan I.	✓			
8. YAMASHITA, Kyle T.	✓			
9. MCDERMOTT, Bob	✓			
TOTAL (9)	7			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				