



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 26, 2013

GOV. MSG. NO. 1309

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 26, 2013, the following bill was signed into law:

SB328 SD1 HD2 CD1

RELATING TO ANIMALS
ACT 206 (13)

Aloha
Sincerely,
Neil Abercrombie

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO ANIMALS.

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

1 SECTION 1. Section 521-44, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) As used in this section "security deposit" means
4 money deposited by or for the tenant with the landlord to be
5 held by the landlord to:

6 (1) Remedy tenant defaults for accidental or intentional
7 damages resulting from failure to comply with section
8 521-51, for failure to pay rent due, or for failure to
9 return all keys furnished by the landlord at the
10 termination of the rental agreement;

11 (2) Clean the dwelling unit or have it cleaned at the
12 termination of the rental agreement so as to place the
13 condition of the dwelling unit in as fit a condition
14 as that which the tenant entered into possession of
15 the dwelling unit; [and]

16 (3) Compensate for damages caused by a tenant who
17 wrongfully quits the dwelling unit[-]; and



1 (4) Compensate for damages under subsection (b) caused by
2 any pet animal allowed to reside in the premises
3 pursuant to the rental agreement.

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

13 (1) Shall not be required:

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

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

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

21 The landlord may not require or receive from or on behalf of a
22 tenant at the beginning of a rental agreement any money other



1 than the money for the first month's rent and a security deposit
 2 as provided in this section. [~~The~~] No part of the security
 3 deposit shall [~~not~~] be construed as payment of the last month's
 4 rent by the tenant, unless mutually agreed upon, in writing, by
 5 the landlord and tenant if the tenant gives forty-five days'
 6 notice of vacating the premises; in entering such agreement, the
 7 landlord shall not be deemed to have waived the right to pursue
 8 legal remedies against the tenant for any damages the tenant
 9 causes. Any such security deposit shall be held by the landlord
 10 for the tenant and the claim of the tenant to the security
 11 deposit shall be prior to the claim of any creditor of the
 12 landlord, including a trustee in bankruptcy, even if the
 13 security deposits are commingled."

14 SECTION 2. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 3. This Act shall take effect upon its approval;
 17 provided that section 1 of this Act shall apply to all rental
 18 agreements entered into on or after November 1, 2013.

APPROVED this 26 day of JUN, 2013

Neil Abernethy



GOVERNOR OF THE STATE OF HAWAII