

STAND. COM. REP. NO.

1718

Honolulu, Hawaii

APR 08 , 2021

RE: S.B. No. 189  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 189, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DOG BITES,"

begs leave to report as follows:

The purpose of this measure is to repeal the requirement that a dog has bitten a human being on at least two separate occasions before any person may bring an action to determine whether conditions of treatment or confinement have changed so as to remove the danger the dog poses to other persons.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that under existing law, a person may bring an action in court to inquire into the conditions of treatment or confinement of a dog that has bitten a human being only if the dog has bitten a human being on at least two separate occasions. Your Committee further finds that this requirement may be difficult to assess as many incidents of dog bites go unreported. This measure will allow an individual to inquire into the conditions of treatment or confinement of a dog without the burdensome requirement of proving two separate occasions on which the dog bit a human being.

2021-3060 SB189 HD1 HSCR HMSO



Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 189, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 189, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

<b>Bill/Resolution No.:</b> <i>SB 189, SDI</i>	<b>Committee Referral:</b> <i>JHA</i>	<b>Date:</b> <i>4-6-21</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
<b>TOTAL (12)</b>	<i>12</i>	<i>0</i>	<i>0</i>	<i>0</i>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				