
A BILL FOR AN ACT

RELATING TO CRUELTY TO ANIMALS.

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

1 SECTION 1. Section 711-1110.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{}~~§711-1110.5~~{}~~ **Surrender or forfeiture of animals.**

4 Upon conviction, guilty plea, or plea of nolo contendere for any
5 violation of section 711-1109 or 711-1109.3:

6 ~~{1}~~ (A) The court may order the defendant to surrender or
7 forfeit the animal whose treatment was the basis of
8 the conviction to the custody of a ~~[duly incorporated~~
9 ~~humane society or society for the prevention of~~
10 ~~cruelty to animals]~~ law enforcement agency for such
11 time and under such conditions as the court shall
12 order~~{}~~;

13 ~~{2}~~ (B) The court may also order the defendant to
14 surrender or forfeit any other animals under the
15 possession, custody, or control of the defendant to
16 the custody of a ~~[duly incorporated humane society or~~
17 ~~society for the prevention of cruelty to animals]~~ law
18 enforcement agency for such a time and under such



1 conditions as the court shall order, if there is
 2 substantial evidence that such animals are being
 3 abused or neglected[-]; and

4 (C) The court shall order the defendant to reimburse the
 5 law enforcement agency for costs incurred to care,
 6 feed, and house the impounded animals."

7 SECTION 2. This Act does not affect rights and duties that
 8 matured, penalties that were incurred, and proceedings that were
 9 begun, before its effective date.

10 SECTION 3. Statutory material to be repealed is bracketed
 11 and stricken. New statutory material is underscored.

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

PROPOSED

Report Title:

Cruelty to Animals; Forfeiture

Description:

Clarifies that animal care costs incurred for abused or neglected animals will be the responsibility of the abuser.
(SD1)

