

PROPOSED

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.B. NO. 2930
S.D. 1

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 (1) Upon conviction for any violation of section 711-1109 or
5 711-1109.3:

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 for such time and under such
11 conditions as the court shall order~~{}~~;

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



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

3 (C) The court shall order the defendant to reimburse the
4 humane society or society for costs incurred to care,
5 feed, and house the abused or neglected animal.

6 (2) All abused animals surrendered or forfeited under this
7 section shall be subject to the requirements of chapter 712A."

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

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 Statutory material to be repealed is bracketed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

13 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)

