

Honolulu, Hawaii

March 23, 2006

RE: S.B. No. 2924
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2924, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to enhance protection of animals by:

- (1) Giving law enforcement officers authority to enter premises and impound an animal when there is probable cause to believe the animal is being subjected to cruel treatment; and
- (2) Allowing a court to order the forfeiture of an impounded animal prior to a criminal action against its owner unless the owner pays to cover the costs involved in caring for the impounded animal.

The Hawaiian Humane Society, Kauai Humane Society, Maui Humane Society, Humane Society of the United States, and numerous concerned individuals supported this bill. The Office of the Public Defender and Animal CARE Foundation opposed this measure.



Your Committee has amended this bill by:

- (1) Clarifying that the provisions of this bill apply only to pet animals, meaning dogs, cats, rabbits, guinea pigs, domestic rats or mice, or caged birds referred to in this bill;
- (2) Prohibiting any forfeited pet animal from being destroyed prior to disposition of the criminal charges unless the animal is so severely injured that it cannot be saved;
- (3) Requiring additional deposit or bond from the pet owner to pay for animal care expenses if a trial is extended;
- (4) Distinguishing the forfeiture of a pet animal under this section from forfeiture of property pursuant to Chapter 712A, Hawaii Revised Statutes; and
- (5) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2924, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2924, 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,



SYLVIA LUKE, Chair



