



GOV. MSG. NO. 777

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

June 26, 2009

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 26, 2009, the following bill was signed into law:

SB1222 SD1 HD1 CD2

A BILL FOR AN ACT  
RELATING TO THE HUMANE TREATMENT OF  
PET ANIMALS.  
**ACT 160 (09)**

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

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# A BILL FOR AN ACT

RELATING TO THE HUMANE TREATMENT OF PET ANIMALS.

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

1 SECTION 1. Section 711-1109, Hawaii Revised Statutes, is  
2 amended by amending subsections (1) and (2) to read as follows:

3 "(1) A person commits the offense of cruelty to animals in  
4 the second degree if the person intentionally, knowingly, or  
5 recklessly:

6 (a) Overdrives, overloads, tortures, torments, beats,  
7 causes substantial bodily injury, or starves any  
8 animal, or causes the overdriving, overloading,  
9 torture, torment, beating, or starving of any animal [~~7~~  
10 ~~or deprives~~];

11 (b) Deprives a pet animal of necessary sustenance or  
12 causes such deprivation;

13 [~~(b)~~] (c) Mutilates, poisons, or kills without need any  
14 animal other than insects, vermin, or other pests;

15 [~~(e)~~] (d) Keeps, uses, or in any way is connected with or  
16 interested in the management of, or receives money for  
17 the admission of any person to, any place kept or used



1 for the purpose of fighting or baiting any bull, bear,  
2 cock, or other animal, and includes every person who  
3 encourages, aids, or assists therein, or who permits  
4 or suffers any place to be so kept or used;

5 ~~[(d)]~~ (e) Carries or causes to be carried, in or upon any  
6 vehicle or other conveyance, any animal in a cruel or  
7 inhumane manner; ~~[or]~~

8 (f) Confines or causes to be confined, in a kennel or  
9 cage, any pet animal in a cruel or inhumane manner;

10 (g) Tethers, fastens, ties, or restrains a dog to a dog  
11 house, tree, fence, or any other stationary object by  
12 means of a choke collar, pinch collar, or prong  
13 collar; provided that a person is not prohibited from  
14 using such restraints when walking a dog with a hand-  
15 held leash or while a dog is engaged in a supervised  
16 activity; or

17 ~~[(e)]~~ (h) Assists another in the commission of any act  
18 specified in subsections (1)(a) through ~~[(1)(d)].~~  
19 (1)(g).

20 (2) Subsection (1)(a), (b), ~~[(d), and]~~ (c), (e), (f), (g),  
21 and (h) shall not apply to:

22 (a) Accepted veterinary practices;



1 (b) Activities carried on for scientific research governed  
2 by standards of accepted educational or medicinal  
3 practices; or

4 (c) Pest control operations conducted pursuant to chapter  
5 149A by a pest control operator licensed pursuant to  
6 chapter 460J, if the pest control is performed under a  
7 written contract."

8 SECTION 2. Section 711-1109.6, Hawaii Revised Statutes, is  
9 amended by amending subsection (1) to read as follows:

10 "[+]§711-1109.6[-] Animal hoarding. (1) A person commits  
11 the offense of animal hoarding if the person intentionally,  
12 knowingly, or recklessly:

13 (a) Possesses more than [~~twenty~~] fifteen dogs, cats, or a  
14 combination of dogs and cats;

15 (b) Fails to provide necessary sustenance for each dog or  
16 cat; and

17 (c) Fails to correct the conditions under which the dogs  
18 or cats are living, where conditions injurious to the  
19 dogs', cats', or owner's health and well-being result  
20 from the person's failure to provide necessary  
21 sustenance."



1 SECTION 3. Act 128, Session Laws of Hawaii 2008, is  
2 amended by amending section 7 to read as follows:

3 "SECTION 7. This Act shall take effect upon its approval  
4 and shall be repealed on July 1, [~~2011~~] 2015."

5 SECTION 4. This Act does not affect rights and duties that  
6 matured, penalties that were incurred, and proceedings that were  
7 begun, before its effective date.

8 SECTION 5. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 6. This Act shall take effect on July 1, 2009.

APPROVED this 26 day of JUN, 2009



GOVERNOR OF THE STATE OF HAWAII