

JAN 28 2009

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. Chapter 711, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§711- Confinement of a pet animal on public property.

5 (1) A person commits the offense of confinement of a pet animal
6 on public property if the person intentionally, knowingly, or
7 recklessly confines a pet animal in a cage on public property
8 for more than four hours, except to:

9 (a) Restrain the animal for emergency purposes;

10 (b) Prevent a threat to public safety;

11 (c) Transport the animal to and from a veterinarian
12 licensed under chapter 471; or

13 (d) Allow the animal to participate in a show or exhibit
14 operated by a bona fide, duly organized kennel club,
15 breed club, or similar organization.

16 It shall be an affirmative defense that the pet animal's
17 confinement was beneficial to the animal.



1 (2) This section may be enforced by a duly incorporated
2 humane society or organization formed for the prevention of
3 cruelty to animals. Enforcement of this section may include
4 confiscation of the pet animal from a person who violates this
5 section.

6 (3) Confinement of a pet animal on public property is a
7 misdemeanor."

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~~] ten 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."



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1 SECTION 3. This Act does not affect rights and duties that
 2 matured, penalties that were incurred, and proceedings that were
 3 begun, before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed
 5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect on January 1, 2010.

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INTRODUCED BY:

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Report Title:

Humane Treatment of Pet Animals

Description:

Prohibits the confinement of a pet animal on public property
(with certain exceptions) and amends the law on animal hoarding.

