
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, or any restraint that would allow the dog to
14 choke or become entangled; provided that a person is
15 not prohibited from using such restraints when walking
16 a dog with a hand-held leash or while a dog is engaged
17 in a supervised activity; or

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

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



- 1 (a) Accepted veterinary practices;
- 2 (b) Activities carried on for scientific research governed
- 3 by standards of accepted educational or medicinal
- 4 practices; or
- 5 (c) Pest control operations conducted pursuant to chapter
- 6 149A by a pest control operator licensed pursuant to
- 7 chapter 460J, if the pest control is performed under a
- 8 written contract."

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

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

- 14 (a) Possesses more than [~~twenty~~] fifteen dogs, cats, or a
- 15 combination of dogs and cats;
- 16 (b) Fails to provide necessary sustenance for each dog or
- 17 cat; and
- 18 (c) Fails to correct the conditions under which the dogs
- 19 or cats are living, where conditions injurious to the
- 20 dogs', cats', or owner's health and well-being result
- 21 from the person's failure to provide necessary
- 22 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.



Report Title:

Humane Treatment of Pet Animals

Description:

Clarifies animal cruelty law. Prohibits the confinement of a pet animal in a kennel or cage in a cruel or inhumane manner. Prohibits the tethering, fastening, tying, or restraining of a dog to a dog house, tree, fence, or any other stationary object by means of a choke collar, pinch collar, prong collar, or other restraint that would allow the dog to choke or become entangled, except when walking a dog with a hand-held leash or while the dog is in a supervised activity. Reduces from 20 to 15 the number of dogs or cats required to be possessed for the animal hoarding statute to apply. Extends sunset date of animal hoarding law to 7/1/2015. Eff. 7/1/2009. (CD1)

