

HOUSE FLOOR AMENDMENT

FLOOR AMENDMENT NO. 10 Date May 5, 2009

TO: Senate Bill No. 1222, S.D. 1, H.D. 1, C.D. 1

Section 1. Senate Bill No. 1222, S.D. 1, H.D. 1, C.D. 1, is amended by amending section 1 to read as follows:

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

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

- (a) Overdrives, overloads, tortures, torments, beats, causes substantial bodily injury, or starves any animal, or causes the overdriving, overloading, torture, torment, beating, or starving of any animal [~~or deprives~~];
- (b) Deprives a pet animal of necessary sustenance or causes such deprivation;
- ~~[(b)]~~ (c) Mutilates, poisons, or kills without need any animal other than insects, vermin, or other pests;
- ~~[(e)]~~ (d) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other animal, and includes every person who encourages, aids, or assists therein, or who permits or suffers any place to be so kept or used;
- ~~[(d)]~~ (e) Carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner; [~~or~~]
- (f) Confines or causes to be confined, in a kennel or cage, any pet animal in a cruel or inhumane manner;
- (g) Tethers, fastens, ties, or restrains a dog to a dog house, tree, fence, or any other stationary object by means of a choke collar, pinch collar, or prong collar; provided that a person is not prohibited from using such restraints when walking a dog with a hand-held leash or while a dog is engaged in a supervised activity; or
- ~~[(e)]~~ (h) Assists another in the commission of any act specified in subsections (1) (a) through [~~(1) (d)]~~.

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



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

Offered by: *Ilia Kuramta*

Carried *Janushin*

Failed to Carry

Withdrawn

