
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[~~r~~
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 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 or
10 for an unreasonable period of time;

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

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

21 (1) (g).

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

3 (a) Accepted veterinary practices;

4 (b) Activities carried on for scientific research governed
5 by standards of accepted educational or medicinal
6 practices; or

7 (c) Pest control operations conducted pursuant to chapter
8 149A by a pest control operator licensed pursuant to
9 chapter 460J, if the pest control is performed under a
10 written contract."

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

13 "~~§~~**711-1109.6**~~§~~ **Animal hoarding.** (1) A person commits
14 the offense of animal hoarding if the person intentionally,
15 knowingly, or recklessly:

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

18 (b) Fails to provide necessary sustenance for each dog or
19 cat; and

20 (c) Fails to correct the conditions under which the dogs
21 or cats are living, where conditions injurious to the
22 dogs', cats', or owner's health and well-being result

1 from the person's failure to provide necessary
2 sustenance."

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

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 Statutory material to be repealed is bracketed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

8 SECTION 5. This Act shall take effect on July 1, 2050.

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 cruel or inhumane manner or for an unreasonable period of time. Prohibits the tethering of a dog to a stationary object with a chain, or choke, pinch, chain, or prong collar. Amends the law on animal hoarding. (SD1).