

JAN 21 2009

---

---

# A BILL FOR AN ACT

RELATING TO ANIMALS.

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

1           SECTION 1. The legislature finds that the practice of  
2 animal tethering causes many pets to suffer needlessly and  
3 increases the risk of an animal posing a danger to the public.

4           The American Veterinary Medical Association, the largest  
5 veterinary medical association in the world, advises dog owners  
6 to never tether or chain their dogs because this can contribute  
7 to aggressive behavior.

8           A study published by the National Center for Injury  
9 Prevention and Control, a division of the Centers for Disease  
10 Control and Prevention, found that chained dogs were 2.8 times  
11 more likely to attack than dogs that were not tethered.

12           Children are the most common victims of attacks by chained  
13 dogs. According to a recent study, seventy-nine per cent of the  
14 four hundred thirty-one people killed by dogs in the United  
15 States between 1965 and 2001 were children under the age of  
16 twelve.



1           The purpose of this Act is to improve public safety and  
2 animal welfare by restricting the practice of animal tethering.

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

6           "§711- Dog tethering. (a) It shall be unlawful to  
7 tether, fasten, chain, tie, or restrain a dog, or cause a dog to  
8 be tethered, fastened, chained, tied, or restrained, to a dog  
9 house, tree, fence, or any other stationary object.

10           (b) Notwithstanding subsection (a), a person may:

11           (1) Attach a dog to a running line, pulley, or trolley  
12 system, so long as the dog is not tethered to the  
13 running line, pulley, or trolley system by means of a  
14 choke collar or pinch collar;

15           (2) Tether, fasten, chain, tie, or otherwise restrain a  
16 dog pursuant to the requirements of a camping or  
17 recreational area;

18           (3) Tether, fasten, chain, or tie a dog no longer than is  
19 necessary for the person to complete a temporary task  
20 that requires the dog to be restrained for a  
21 reasonable period;



# S.B. NO. 30

1       (4) Tether, fasten, chain, or tie a dog while engaged in,  
2       or actively training for, an activity that is  
3       conducted pursuant to a valid license issued by the  
4       State of Hawaii if the activity for which the license  
5       is issued is associated with the use or presence of  
6       the dog; or

7       (5) Tether, fasten, chain, or tie a dog while actively  
8       engaged in any of the following:

9       (A) Conduct that is directly related to the business  
10       of shepherding or herding cattle or livestock; or

11       (B) Conduct that is directly related to the business  
12       of cultivating agricultural products, if the  
13       restraint is reasonably necessary for the safety  
14       of the dog.

15       For the purpose of this section, "reasonable period" means  
16       a period of time not to exceed three hours in a twenty-four-hour  
17       period.

18       (c) Nothing in this chapter shall be construed to prohibit  
19       a person from walking a dog with a hand-held leash.

20       (d) Violation of this section shall be a misdemeanor."



# S.B. NO. 30

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. New statutory material is underscored.

5 SECTION 5. This Act shall take effect upon its approval.

6

INTRODUCED BY:

R. J. O'Neil  
by request



**Report Title:**

Animal Welfare; Tethering

**Description:**

Prohibits, with exceptions, the practice of tethering dogs.

