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# A BILL FOR AN ACT

RELATING TO CRUELTY TO ANIMALS.

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

1 SECTION 1. Section 711-1109.3, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~§711-1109.3 Cruelty to animals[; fighting dogs.]~~ **by**  
4 **fighting dogs.** (1) A person commits the offense of cruelty to  
5 animals by fighting dogs if the person:

6 (a) Causes, sponsors, arranges, or holds a fight between  
7 dogs;

8 (b) Wagers on or pays admission to a dogfight;

9 ~~[(a)]~~ (c) Owens [e~~r~~], trains, transports, possesses, breeds,  
10 sells, transfers, or equips any dog with the intent  
11 that ~~[such]~~ the dog shall be engaged in ~~[an exhibition~~  
12 ~~of fighting with another dog;]~~ a dogfight;

13 ~~[(b)]~~ ~~For amusement or gain, intentionally causes any dog to~~  
14 ~~fight with another dog, or causes any dog to injure~~  
15 ~~another dog; or~~

16 ~~(e) Knowingly or recklessly permits any act in violation~~  
17 ~~of paragraph (a) or (b) to be done on the premises~~

1 ~~under the person's charge or control, or aids or abets~~  
2 ~~any such act.]~~

3 (d) Allows a dogfight to occur on any property owned or  
4 controlled by the person;

5 (e) Allows any dog intended by the person to be used for a  
6 dogfight to be kept, boarded, housed, trained, or  
7 transported, on any property owned or controlled by  
8 the person;

9 (f) Uses any means of communication for the promotion of a  
10 dogfight; or

11 (g) Possesses any device intended to enhance the dog's  
12 fighting ability with the intent that the device be  
13 used to train or prepare the dog to fight. As used in  
14 this paragraph, "device" means both animate and  
15 inanimate objects and includes live animals used as  
16 bait animals.

17 (2) Nothing in this section shall prohibit any of the  
18 following:

19 (a) The use of dogs in the management of livestock by the  
20 owner of the livestock or the owner's employees or  
21 agents or other persons in lawful custody thereof;

22 (b) The use of dogs in hunting wildlife including game; or

1 (c) The training of dogs or the use of equipment in the  
2 training of dogs for any purpose not prohibited by  
3 law~~[-]~~, including dog weight pulling contests.

4 (3) As used in this section, the term "dogfight" means a  
5 gathering or exhibition for the purpose of having a fight  
6 between one dog and another dog, or having one dog injure  
7 another dog.

8 [~~3~~] (4) Violation of this section [~~shall be~~] is a class  
9 C felony~~[-]~~; provided that a violation under subsection (1)(b)  
10 is a misdemeanor.

11 [~~4~~] (5) If there is any conflict between this section  
12 and section 711-1109, or any other provision of law, this  
13 section shall apply."

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

17 SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on January 1, 2010.

**Report Title:**

Crimes; Dog Fighting

**Description:**

Enacts more comprehensive prohibition of fighting dogs and related conduct. (SD1)