
A BILL FOR AN ACT

RELATING TO OFFENSES AGAINST PUBLIC ORDER.

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

1 SECTION 1. Section 711-1109, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (1) to read as follows:

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

7 (a) Overdrives, overloads, tortures, torments, beats,
8 causes substantial bodily injury, or starves any
9 animal, or causes the overdriving, overloading,
10 torture, torment, beating, or starving of any animal;

11 (b) Deprives a pet animal of necessary sustenance or
12 causes such deprivation;

13 (c) Mutilates, poisons, or kills without need any animal
14 other than insects, vermin, or other pests;

15 (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
18 for the purpose of fighting or baiting any bull, bear,



1 cock, or other animal, and includes every person who
2 encourages, aids, or assists therein, or who permits
3 or suffers any place to be so kept or used;

4 (e) Carries or causes to be carried, in or upon any
5 vehicle or other conveyance, any animal in a cruel or
6 inhumane manner;

7 (f) Confines or causes to be confined, in a kennel or
8 cage, any pet animal in a cruel or inhumane manner;

9 (g) Tethers, fastens, ties, or restrains a dog to a
10 doghouse, tree, fence, or any other stationary object
11 or to a cable trolley system:

12 (i) [by] By means of a choke collar, pinch collar, or
13 prong collar;

14 (ii) By a tether or chain that is less than five times
15 the length of the dog, measured from the tip of
16 its nose to the base of its tail, provided that,
17 in no case, shall the tether or chain be less
18 than ten feet in length;

19 (iii) By a tether or chain that weighs more than ten
20 per cent of the weight of the dog tethered;

21 (iv) By a tether or chain that does not have a swivel
22 on at least one end; or



1 (v) Where the dog is under the age of six months;
 2 provided that a person is not prohibited from using
 3 such restraints when walking a dog with a hand-held
 4 leash or while a dog is engaged in a supervised
 5 activity; or

6 (h) Assists another in the commission of any act specified
 7 in subsections (1)(a) through (1)(g)."

8 2. By amending subsection (4) to read as follows:

9 "(4) Cruelty to animals in the second degree is a
 10 misdemeanor[-]; provided that, in addition to any other penalty
 11 imposed, a person convicted under subsection (1)(g) shall be
 12 fined not less than:

- 13 (a) \$50 for a first offense; and
- 14 (b) \$200 for any subsequent offense."

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

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

20 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *J. Phil. L. ...*

Report Title:

Dogs; Tethering

Description:

Permits tethering of an unattended dog if the tether meets certain specifications and the dog is at least 6 months old. Establishes mandatory fines.

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