

JAN 23 2009

A BILL FOR AN ACT

RELATING TO ANIMAL CRUELTY.

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

1 SECTION 1. The legislature finds that the consumption of
2 companion animals is inhumane and an offense against the public
3 order. The purpose of this Act is to prevent companion animals
4 from being consumed as human food.

5 SECTION 2. Section 711-1109, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§711-1109 Cruelty to animals in the second degree.** (1)

8 A person commits the offense of cruelty to animals in the second
9 degree if the person intentionally, knowingly, or recklessly:

10 (a) Overdrives, overloads, tortures, torments, beats,
11 causes substantial bodily injury, or starves any
12 animal, or causes the overdriving, overloading,
13 torture, torment, beating, or starving of any animal,
14 or deprives a pet animal of necessary sustenance or
15 causes such deprivation;

16 (b) Mutilates, poisons, or kills without need any animal
17 other than insects, vermin, or other pests;



- 1 (c) Keeps, uses, or in any way is connected with or
2 interested in the management of, or receives money for
3 the admission of any person to, any place kept or used
4 for the purpose of fighting or baiting any bull, bear,
5 cock, or other animal, and every person who
6 encourages, aids, or assists therein, or who permits
7 or suffers any place to be so kept or used;
- 8 (d) Carries or causes to be carried, in or upon any
9 vehicle or other conveyance, any animal in a cruel or
10 inhumane manner; [~~e~~]
- 11 (e) Possesses, sells, purchases, gives away, receives,
12 imports, or exports any live companion animal or
13 carcass of a companion animal for the purpose of using
14 any portion of the live companion animal or its
15 carcass for human food; or
- 16 (f) Assists another in the commission of any act specified
17 in subsections (1)(a) through [~~(1)(d)~~] (1)(e).
- 18 (2) Subsection (1)(a), (b), (d), and [~~(e)~~] (f), shall not
19 apply to:
- 20 (a) Accepted veterinary practices;



1 (b) Activities carried on for scientific research governed
2 by standards of accepted educational or medicinal
3 practices; or

4 (c) Pest control operations conducted pursuant to chapter
5 149A by a pest control operator licensed pursuant to
6 chapter 460J, if the pest control is performed under a
7 written contract.

8 (3) Paragraph (1)(e) shall not be construed to interfere
9 with any agricultural commodity produced in the State or the
10 lawful killing of game mammals with a valid license under
11 section 183D-21.

12 [~~3~~] (4) Whenever any animal is so severely injured that
13 there is no reasonable probability that its life or usefulness
14 can be saved, the animal may be immediately destroyed without
15 creating any offense under this section.

16 [~~4~~] (5) As used in this section "companion animal" means
17 any animal that is commonly kept as a pet, including but not
18 limited to dogs and cats.

19 (6) Cruelty to animals in the second degree is a
20 misdemeanor."



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. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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Report Title:

Animal Cruelty; Consumption of Companion Animals

Description:

Prohibits the possession, sale, purchase, give away, receipt, import, or export of companion animals for the purpose of human food.

