
A BILL FOR AN ACT

RELATING TO ANIMALS.

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

1 SECTION 1. The purpose of this Act is to revise laws
2 prohibiting the cruel treatment of pet animals by specifying the
3 standards of care that an owner must provide a pet animal,
4 including the type of pet enclosure and under what conditions
5 and when veterinary care must be provided. A pet animal is
6 defined under section 711-1100, Hawaii Revised Statutes, as "a
7 dog, cat, domesticated rabbit, guinea pig, domesticated pig, or
8 caged birds (passeriformes, piciformes, and psittaciformes only)
9 so long as not bred for consumption. Nothing in this Act is
10 intended to apply to animals that are raised for food, such as
11 any livestock or chickens that are raised for consumption or for
12 eggs, nor to any pigs or rabbits that are raised specifically
13 for consumption.

14 SECTION 2. Section 711-1100, Hawaii Revised Statutes, is
15 amended as follows:

16 1. By adding a new definition to be appropriately inserted
17 and to read:



1 "Primary pet enclosure" means any kennel, cage, or
2 structure used to restrict only a pet animal as defined in this
3 section to a limited area of space, and does not apply to the
4 confinement of any animals that are raised for food, such as any
5 poultry that is raised for meat or egg production and livestock,
6 rabbits, or pigs that are raised specifically for meat
7 production because these animals are not pets when raised for
8 meat or egg production."

9 2. By amending the definition of "necessary sustenance" to
10 read:

11 "Necessary sustenance" means care sufficient to preserve
12 the health and well-being of a pet animal, except for
13 emergencies or circumstances beyond the reasonable control of
14 the owner or caretaker of the pet animal, and includes but is
15 not limited to the following requirements:

- 16 (1) Food of sufficient quantity and quality to allow for
17 normal growth or maintenance of body weight;
- 18 (2) Open or adequate access to water in sufficient
19 quantity and quality to satisfy the animal's needs;
- 20 (3) Access to protection from wind, rain, or sun; [~~and~~]
- 21 (4) An area of confinement that has adequate space
22 necessary for the health of the animal and is kept



1 reasonably clean and free from excess waste or other
2 contaminants that could affect the animal's health[-];
3 provided that the area of confinement in a primary pet
4 enclosure must:

5 (A) Provide access to shelter;

6 (B) Be constructed of safe materials to protect the
7 pet animal from injury;

8 (C) Enable the pet animal to be clean, dry, and free
9 from excess waste or other contaminants that
10 could affect the pet animal's health;

11 (D) Provide the pet animal with a solid surface or
12 resting platform that is large enough for the pet
13 animal to lie upon in a normal manner, or, in the
14 case of a caged bird a perch that is large enough
15 for the bird to perch upon in a normal manner;

16 (E) Provide sufficient space to allow the pet animal
17 to, at minimum, do the following:

18 (i) Easily stand, sit, lie, turn around, and
19 make all other normal body movements in a
20 comfortable manner for the pet animal,
21 without making physical contact with any
22 other animal in the enclosure; and



- 1 (ii) Interact safely with other animals within
- 2 the enclosure;
- 3 and
- 4 (5) Veterinary care when needed to prevent suffering."

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

8 SECTION 4. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 5. This Act shall take effect on January 1, 2011.



Report Title:

Animals; Humane Treatment

Description:

Amends the definition of "necessary sustenance" with regard to pet animals. Adds a definition for "primary pet enclosure".
(HB2725 CD1)

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