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# A BILL FOR AN ACT

RELATING TO ANIMALS.

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

1       SECTION 1. Section 711-1100, Hawaii Revised Statutes, is  
2 amended as follows:

3       1. By adding a new definition to be appropriately inserted  
4 and to read:

5       "Primary pet enclosure" means any kennel, cage, or  
6 structure used to restrict a pet animal to a limited amount of  
7 space."

8       2. By amending the definitions of "necessary sustenance"  
9 and "pet animal" to read:

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

15       (1) Food of sufficient quantity and quality to allow for  
16 normal growth or maintenance of body weight;

17       (2) Open or adequate access to water in sufficient  
18 quantity and quality to satisfy the animal's needs;



- 1           (3) Access to protection from wind, rain, or sun; and
- 2           (4) An area of confinement [~~that has adequate space~~
- 3           ~~necessary for the health of the animal and is kept~~
- 4           ~~reasonably clean~~] in a primary pet enclosure that:
- 5           (A) Provides access to shelter;
- 6           (B) Is constructed of safe materials to protect an
- 7           animal from injury;
- 8           (C) Enables an animal to be clean, dry, and free from
- 9           excess waste or other contaminants that could
- 10           affect the animal's health[-];
- 11           (D) Provides an animal with a solid surface or
- 12           resting platform that is large enough for the
- 13           animal to lie down in a normal manner;
- 14           (E) Provides an animal with a solid surface (in the
- 15           case of a rabbit or guinea pig the surface may be
- 16           welded wire of sufficient size to allow feces to
- 17           pass through, yet comfortably support the animal)
- 18           or resting platform (in the case of birds, a
- 19           perch) that is large enough for the animal to lie
- 20           or perch upon in a normal manner; and
- 21           (F) Provides sufficient space to allow an animal to:



1            (i) Easily stand, sit, lie, turn around, and  
2            make all other normal body movements in a  
3            comfortable normal position for the animal  
4            without making physical contact with any  
5            other animal enclosure; and

6            (ii) Interact safely with other animals within  
7            the enclosure;

8            and

9            (5) Provides veterinary care when required to prevent  
10           suffering.

11           "Pet animal" means a dog, cat, domesticated rabbit (so long  
12           as not bred or raised for meat production purposes), guinea pig,  
13           [~~domesticated pig,~~] or caged birds (passeriformes, piciformes,  
14           and psittaciformes only) so long as not bred or raised for  
15           [~~consumption~~] egg or meat production purposes."

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

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

21           SECTION 4. This Act shall take effect on December 21,  
22           2058.



**Report Title:**

Animals; Humane Treatment

**Description:**

Amends the definition of necessary sustenance to include a primary pet enclosure that provides shelter; safe construction to prevent injury; room to stand, sit, or lie down; and safe interactions with other animals. Amends the definition of pet animal. Defines primary pet enclosure. Effective December 21, 2058. (HB2725 HD1)

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