
A BILL FOR AN ACT

RELATING TO ANIMAL ABUSE.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 ANIMAL ABUSE REGISTRY

6 § -1 Definitions. As used in this chapter, unless the
7 context clearly requires otherwise:

8 "Animal abuse crime" means any offense under section 711-
9 1108.5, 711-1109, 711-1109.3, 711-1109.4, 711-1109.5, or 711-
10 1109.6.

11 "Animal abuse registry" means a registry containing the
12 names, residence information, and photographs of covered
13 offenders, as well as any animal abuse crime for which a covered
14 offender was convicted on or after January 1, 2012, and the date
15 of conviction.

16 "Covered offender" means a person who has been convicted on
17 or after January 1, 2012, of an animal abuse crime.



1 "Conviction" means a judgment on the verdict, or a finding
2 of guilt after a plea of guilty or nolo contendere, excluding
3 the adjudication of a minor.

4 § -2 Registration; requirements; fees. (a) A covered
5 offender shall:

6 (1) Register with the animal abuse registry within five
7 days of the covered offender's release from
8 imprisonment for any animal abuse crime or, if not
9 imprisoned, of the date the covered offender is
10 convicted of any animal abuse crime; and

11 (2) Comply with the provisions of this chapter for five
12 years following the date of registration under this
13 chapter.

14 (b) A covered offender registering pursuant to subsection
15 (a) shall submit the following registration information to the
16 animal abuse registry:

17 (1) The offender's current name and any aliases;

18 (2) The offender's current residential address; and

19 (3) A current photograph of the offender's head and
20 shoulders from the front.

21 (c) A covered offender shall notify the animal abuse
22 registry in writing and within three working days of any change



1 in the registration information submitted pursuant to
2 subsections (b) (1) and (b) (2).

3 (d) A covered offender shall remain on the animal abuse
4 registry for five years following the offender's date of
5 registration pursuant to subsection (a), during which time the
6 covered offender's registration information shall be made
7 available to the public.

8 (e) A covered offender shall pay a fee of \$50 to the
9 attorney general within thirty days of the date of initial
10 registration and annually thereafter for each year the covered
11 offender remains on the animal abuse registry.

12 § -3 Failure to comply with covered offender
13 registration requirements. (a) No person required to register
14 under this chapter shall intentionally, knowingly, or
15 recklessly:

- 16 (1) Fail to register with the animal abuse registry;
17 (2) Fail to provide the animal abuse registry with the
18 person's registration information;
19 (3) Fail to notify the animal abuse registry in writing of
20 any change in the covered offender's name, alias, or
21 residence within three working days of the change;



1 (4) Provide false registration information to the animal
2 abuse registry; or

3 (5) Sign a statement verifying that all of the
4 registration information submitted to the animal abuse
5 registry is accurate and current when any of the
6 registration information is not substantially accurate
7 and current.

8 (b) Violation of this section is a misdemeanor punishable
9 by a term of imprisonment not to exceed one year and a fine not
10 to exceed \$2,000.

11 § -4 Animal abuse registry special fund. (a) There is
12 created the animal abuse registry special fund to be
13 administered by the attorney general and into which shall be
14 deposited all fees charged under section -2, any contributions
15 or appropriations to the fund, and all interest and earnings on
16 moneys in the fund.

17 (b) Moneys in the fund shall be expended for the purposes
18 of this chapter, and the attorney general shall expend moneys in
19 the fund to establish and administer the animal abuse registry
20 by contract pursuant to chapter 103D.



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1 § -5 Rules. The attorney general shall adopt rules
 2 pursuant to chapter 91 necessary to implement the purposes of
 3 this chapter.

4 § -6 Good faith immunity. Law enforcement agencies, the
 5 animal abuse registry, employees of law enforcement agencies or
 6 the animal abuse registry, and state and county officials shall
 7 be immune from liability for good faith conduct under this
 8 chapter."

9 SECTION 2. This Act does not affect rights and duties that
 10 matured, penalties that were incurred, and proceedings that were
 11 begun before its effective date.

12 SECTION 3. This Act shall take effect on January 1, 2012.

13

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JAN 21 2011



Report Title:

Animal abuse registry

Description:

Establishes an animal abuse registry.

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