
A BILL FOR AN ACT

RELATING TO ANIMAL CRUELTY.

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

1 SECTION 1. Section 711-1108.5, Hawaii Revised Statutes, is
2 amended by amending subsections (1) and (2) to read as follows:

3 "(1) A person commits the offense of cruelty to animals in
4 the first degree if the person intentionally or knowingly
5 [~~tortures,~~]:

- 6 (a) Tortures, mutilates, or poisons or causes the torture,
7 mutilation, or poisoning of any pet animal or equine
8 animal resulting in serious bodily injury or death of
9 the pet animal or equine animal[-]; or
10 (b) Kills or attempts to kill any pet animal belonging to
11 another person, without first obtaining legal
12 authority or the consent of the pet animal's owner.

13 (2) Subsection (1) shall not apply to:

- 14 (a) Accepted veterinary practices;
15 (b) Activities carried on for scientific research governed
16 by standards of accepted educational or medicinal
17 practices; [~~or~~]
18 (c) Cropping or docking as customarily practiced[-];



- 1 (d) Humane euthanasia of any animal by an animal control
2 officer, duly incorporated humane society, duly
3 incorporated society for the prevention of cruelty to
4 animals, or duly authorized governmental agency in
5 accordance with American Veterinary Medical
6 Association accepted standards; or
- 7 (e) The reasonable use of force by a landowner acting to
8 defend or protect the landowner, another person, or an
9 animal from death, injury, or imminent harm from an
10 animal that is on the landowner's property. For
11 purposes of this paragraph, "landowner" means the
12 owner in fee of the real property, a lessee, any
13 person having any right, title, or interest in the
14 real property, or an agent or employee of the fee
15 owner, lessee, or person having other right, title, or
16 interest in the real property."

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

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 Statutory material to be repealed is bracketed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

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1 SECTION 4. This Act shall take effect on July 1, 2050.

2



Report Title:
Animal Cruelty

Description:

Provides that killing, or attempting to kill, the animal of another person without that person's consent constitutes animal cruelty in the first degree. Adds exemptions for animal cruelty in the first degree. Effective 7/1/2050. (SD1)

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