

---

---

# 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 population of  
2 feral cats is growing across the State despite various efforts  
3 to control the increasing number of feral cats. The legislature  
4 further finds that feral cats are the offspring of domestic  
5 unsterilized cats that have been abandoned by their owners or  
6 have become strays and the uncontrolled propagation of  
7 unsterilized cats leads to increases in the feral cat  
8 population. An unsterilized female cat can give birth to two  
9 litters a year which means that within seven years a pair of  
10 breeding cats can exponentially lead to an increase of 400,000  
11 in the population of cats. Feral cats form colonies and  
12 procreate to the extent of presenting a humane issue.  
13 Unneutered male cats fight over un-spayed female cats which  
14 often results in injuries. The increasing population creates a  
15 situation where competition among the population leads to the  
16 starvation and injury of the weakest members as well as the  
17 propagation of disease and mange. This situation constitutes a  
18 form of animal cruelty when uncontrolled and is exacerbated when



1 abandoned or escaped pet cats continue to join the feral  
2 population and procreate.

3 The legislature further finds that there are currently more  
4 dogs in the State than there are humans willing to care for them  
5 and that the population of stray dogs is beset by many of the  
6 same issues affecting the feral cat population.

7 The purpose of this Act is to limit store-front retail  
8 activity of unsterilized cats and unsterilized dogs in order to  
9 mitigate the suffering of the feral cat and stray dog  
10 population. This Act is intended to address the irresponsible  
11 and indiscriminate sale of puppies and kittens without regard to  
12 the consequence of animal population growth.

13 SECTION 2. Chapter 143, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16 "§143- Unsterilized cats and unsterilized dogs; sales  
17 prohibited. (a) The sale by any pet retailer of an  
18 unsterilized cat or unsterilized dog in this State shall be  
19 prohibited. If a pet retailer gives an unsterilized cat or  
20 unsterilized dog to a purchaser of pet supplies or equipment  
21 from that pet retailer, free of charge, that act shall be



1 considered a sale of an unsterilized cat or unsterilized dog for  
2 purposes of this subsection.

3 (b) As used in this section:

4 "Pet retailer" means any person, partnership entity, or  
5 corporation that sells pet animals, as that term is defined in  
6 section 711-1100, to customers through a store operation.

7 "Unsterilized cat" means a female cat that has not been  
8 spayed by a licensed veterinarian or a male cat that has not  
9 been neutered by a licensed veterinarian.

10 "Unsterilized dog" means a female dog that has not been  
11 spayed by a licensed veterinarian or a male dog that has not  
12 been neutered by a licensed veterinarian.

13 (c) Notwithstanding section 143-19, any pet retailer  
14 violating this section shall be subject to a fine of \$1,000 per  
15 violation."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on January 1, 2012.



**Report Title:**

Animal Cruelty; Feral Cats; Stray Dogs; Unsterilized

**Description:**

Prohibits pet retailers from selling unsterilized cats and unsterilized dogs. Effective January 1, 2012. (HB243 CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

