

JAN 26 2011

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# A BILL FOR AN ACT

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RELATING TO OFFENSES AGAINST PUBLIC ORDER.

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

1           SECTION 1. Chapter 711, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§711-       Confinement of a dog by tethering; violation.

5           (1) Except as provided in section 711-1109(1)(g), a person  
6 commits the offense of confinement of a dog by tethering if the  
7 person intentionally, knowingly, or recklessly tethers, fastens,  
8 ties, or restrains a dog in a cruel or inhumane manner to a  
9 doghouse, tree, fence, or any other stationary object or to a  
10 cable trolley system:

11           (a) By a tether or chain that is less than six feet in  
12           length;

13           (b) By a tether or chain that weighs more than ten per  
14           cent of the weight of the dog tethered;

15           (c) By a tether or chain that does not have a swivel on at  
16           least one end; or

17           (d) Where the dog is under the age of six months;



1 provided that a person is not prohibited from using these  
2 restraints when walking a dog with a hand-held leash or while a  
3 dog is engaged in a supervised activity; and provided further  
4 that a person is not prohibited from using these restraints or  
5 from restraining a dog under the age of six months while the dog  
6 is engaged in an activity, including training, that is directly  
7 related to shepherding or herding livestock, or when reasonably  
8 necessary for the safety of the dog.

9 (2) Confinement of a dog by tethering shall be a  
10 violation; provided that any person convicted under this section  
11 shall be sentenced as follows:

12 (a) For a first offense, by a fine of not less than \$50  
13 and not more than \$150, without the possibility of  
14 suspension; and

15 (b) For a second or subsequent offense, by a fine of not  
16 less than \$200 and not more than \$500, without the  
17 possibility of suspension."

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

21 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "M. Smith", written over a horizontal line.

**Report Title:**

Dogs; Tethering

**Description:**

Creates an offense of confinement of a dog by tethering under prescribed circumstances with certain exceptions and establishes mandatory fines. Effective 1/1/12.

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

