

STAND. COM. REP. NO. 626

Honolulu, Hawaii
March 3, 2011

RE: H.B. No. 108
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 108 entitled:

"A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS,"

begs leave to report as follows:

The purpose of this bill is to prevent individuals from participating in dogfighting by creating more comprehensive penalties, including:

- (1) Establishing the offenses of cruelty to animals by fighting dogs in the first and second degree, which penalizes direct participation in holding dogfights or owning, training, and breeding dogs for such purposes as a Class B felony, and punishes spectators and indirect participation as a Class C felony; and
- (2) Adds cruelty to animals by fighting dogs to those offenses for which a duly incorporated humane society may impound or force forfeiture of a dog.

The City and County of Honolulu Department of the Prosecuting Attorney, Hawaiian Humane Society, The Humane Society of the United States, Oahu Society for the Prevention of Cruelty to Animals, Animal Rights Hawaii, a board member of Maui Society for the Prevention of Cruelty to Animals, the President of West Hawaii Human Society, and large numbers of concerned individuals

HB108 HD1 HSCR JUD HMS 2011-2535



testified in support of this measure. The Office of the Public Defender opposed this measure.

Your Committee has amended this measure by:

- (1) Deleting references to attending dogfights;
- (2) Defining and including the term "bait dog" in cruelty to animals by fighting dogs in the second degree;
- (3) Deleting dog breeding from prohibited activities;
- (4) Adding a severability clause;
- (5) Changing the effective date to January 7, 2059, to promote further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 108, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 108, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


GILBERT KEITH-AGARAN, Chair



