

JAN 20 2012

S.B. NO. 2274

A BILL FOR AN ACT

RELATING TO DOG BREEDERS.

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

1 SECTION 1. Chapter 143, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§143- Breeding permits. (a) Each county animal
5 control officer or appropriate county animal control agency
6 shall administer a permit program to allow the breeding of dogs
7 consistent with appropriate state law and county ordinances;
8 provided that where a county has an ordinance specifically
9 prohibiting the breeding of dogs, the county's ordinance shall
10 govern with respect to that provision only.

11 (b) No dog breeder shall cause or allow the breeding of a
12 female dog without first obtaining a breeding permit issued by
13 an animal control officer or the appropriate county animal
14 control agency. Breeding permits shall be valid for twelve
15 months and renewable on an annual basis for a fee of \$100 per
16 dog. A breeding permit shall require the breeder to provide the
17 appropriate county animal control officer or agency with



1 documents that indicate the number of live births and the number
2 of males and females in each litter.

3 (c) Each county animal control officer or appropriate
4 county animal control agency, at least twice each year, shall
5 inspect each premise for which a breeding permit has been
6 issued. A breeder's acceptance of a permit shall be deemed to
7 be consent to the entry and inspection of the premises by the
8 animal control officer or agency, as long as the inspection is
9 conducted at a reasonable time and the owner, or owner's
10 representative, is present during the inspection. Notice to the
11 breeder prior to inspection shall not be required.

12 (d) Each county animal control officer or appropriate
13 county animal control agency may assess a fee to the breeder for
14 each inspection, so long as the fee is reflected in a fee
15 schedule made available to the public. Any outstanding balances
16 for inspection fees shall be paid prior to the renewal of the
17 breeder's permit.

18 (e) Any breeder's refusal of entry and inspection shall be
19 grounds for suspension or revocation of the breeder's permit.

20 (f) Each county animal control officer or appropriate
21 county animal control agency may contract with any duly
22 incorporated humane society or duly incorporated society for the



1 prevention of cruelty to animals, or similar dog protective
2 organization, to enforce this section and any rules adopted
3 pursuant to this section.

4 (g) For purposes of this section:

5 "Dog breeder" or "breeder" means a person, firm,
6 partnership, corporation, pet store, or other association that
7 has sold, whelped, transferred, or given away all or part of ten
8 or more litters or thirty or more dogs during the preceding
9 twelve months. Sales include retail as well as internet sales.

10 "Pet store" means any establishment or market place where
11 animals are bought, sold, exchanged, or offered for sale to the
12 general public with the intent of making a profit. This term
13 includes the keeping for transfer or the transfer of animals at
14 temporary facilities, such as flea markets, mobile facilities,
15 department stores, merchandise outlets, discount outlets, animal
16 shows conducting a sale, and other types of retail outlets where
17 animals are intended as companions or household animals.

18 (h) Any person violating this section shall be subject to
19 a civil penalty of up to \$1,000 per violation."

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



1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Dan Claitor*

Melanie Jones

D

Michelle Kedani

Sue Kelly

Phai Gon

Anne Ingersoll

Matt

M. M.

John

Therese Chun Oakland



S.B. NO. 2274

Report Title:

Dog Breeders; Permits; Humane Society

Description:

Requires county animal control officers to establish a process for permitting and inspecting the premises of dog breeders. Authorizes contracts with any duly incorporated humane society or similar dog protective organization to enforce the new requirements.

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

