

JAN 20 2012

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# A BILL FOR AN ACT

RELATING TO ANIMALS.

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

1           SECTION 1. Section 711-1109, Hawaii Revised Statutes, is  
2 amended by amending subsection (1) to read as follows:

3           "(1) A person commits the offense of cruelty to animals in  
4 the second degree if the person intentionally, knowingly, or  
5 recklessly:

6           (a) Overdrives, overloads, tortures, torments, beats,  
7 causes substantial bodily injury to, or starves any  
8 animal, or causes the overdriving, overloading,  
9 torture, torment, beating, or starving of any animal;

10          (b) Deprives a pet animal of necessary sustenance or  
11 causes such deprivation;

12          (c) Mutilates, poisons, or kills without need any animal  
13 other than insects, vermin, or other pests; provided  
14 that [the handling or extermination of any insect,  
15 vermin, or other pest is conducted in accordance with  
16 standard and acceptable pest control practices and all  
17 applicable laws and regulations;] for the purposes of  
18 this section, the term "pests" means those animals



1 included within the definition of that term in  
2 sections 149A-2 and 150A-2;

3 (d) Keeps, uses, or in any way is connected with or  
4 interested in the management of, or receives money for  
5 the admission of any person to, any place kept or used  
6 for the purpose of fighting or baiting any bull, bear,  
7 cock, or other animal, and includes every person who  
8 encourages, aids, or assists therein, or who permits  
9 or suffers any place to be so kept or used;

10 (e) Carries or causes to be carried, in or upon any  
11 vehicle or other conveyance, any animal in a cruel or  
12 inhumane manner;

13 (f) Confines or causes to be confined, in a kennel or  
14 cage, any pet animal in a cruel or inhumane manner;

15 (g) Tethers, fastens, ties, or restrains a dog to a  
16 doghouse, tree, fence, or any other stationary object  
17 by means of a choke collar, pinch collar, or prong  
18 collar; provided that a person is not prohibited from  
19 using such restraints when walking a dog with a hand-  
20 held leash or while a dog is engaged in a supervised  
21 activity; or



1 (h) Assists another in the commission of any act specified  
2 in subsections (1)(a) through (1)(g)."

3 SECTION 2. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

*[Handwritten signatures]*  
James ...  
Anna ...  
Michael ...  
George ...  
Michelle ...  
Sharonne ...  
*[Signature]*



# S.B. NO. 2629

**Report Title:**

Animals; Cruelty; Pests

**Description:**

Removes the requirement that handling or extermination of insects, vermin, or other pests be conducted in accordance with standard pest control practices and applicable laws to avoid criminal liability for cruelty to animals. Clarifies the definition of pests.

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