

JAN 25 2012

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# 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, or  
6 an agency or organization designated by the county, shall  
7 administer a permit program to allow the breeding of dogs  
8 consistent with appropriate state law and county ordinances;  
9 provided that where a county has an ordinance specifically  
10 addressing the breeding of dogs, the county's ordinance shall  
11 govern with respect to that provision only.

12           (b) No dog breeder shall cause or allow the breeding of a  
13 male or female dog without first obtaining a breeding permit  
14 issued by an animal control officer or the appropriate county  
15 animal control agency. Breeding permits shall be valid for  
16 twelve months and renewable on an annual basis pursuant to the  
17 following permit fee schedule:

18           (1) For the first five dogs, a fee of \$25 per dog;



- 1        (2) For more than five dogs but less than eleven:
- 2            (A) A fee of \$50 per dog; and
- 3            (B) Ten per cent of the fee established under
- 4                    subparagraph (A) added to the fee established
- 5                    under paragraph (1);
- 6        (3) For the eleventh dog:
- 7            (A) A fee of \$100; and
- 8            (B) Ten per cent of the fee established under
- 9                    subparagraph (A) added to the total fees
- 10                   collected under paragraph (2);
- 11        (4) For the twelfth dog:
- 12            (A) A fee of \$200; and
- 13            (B) Ten per cent of the fee established under
- 14                    subparagraph (A) added to the total fees
- 15                    collected under paragraph (3);
- 16        (5) For the thirteenth dog:
- 17            (A) A fee of \$400; and
- 18            (B) Ten per cent of the fee established under
- 19                    subparagraph (A) added to the total fees
- 20                    collected under paragraph (4); and



1       (6) For the fourteenth dog:  
2           (A) A fee of \$500; and  
3           (B) Ten per cent of the fee established under  
4           subparagraph (A) added to the total fees  
5           collected under paragraph (5);  
6 provided that no breeding permits shall be issued for more than  
7 fourteen dogs.

8       A breeding permit shall require the breeder to provide the  
9 appropriate county animal control officer or agency with  
10 documents that indicate the number of live births and the number  
11 of males and females in each litter.

12       (c) Each county animal control officer or appropriate  
13 county animal control agency, or an agency or organization  
14 designated by the county, at least twice each year, shall  
15 inspect each premises for which a breeding permit has been  
16 issued. A breeder who is issued a permit shall be deemed to  
17 have given consent to the entry and inspection of the premises  
18 by the animal control officer or agency, provided that the  
19 inspection is conducted at a reasonable time and the breeder, or  
20 breeder's representative, is present during the inspection.



1 Notice to the breeder prior to inspection shall not be required,  
2 except to coordinate a time for the inspection when the breeder  
3 shall be present.

4 (d) Any breeder's refusal of entry and inspection shall be  
5 grounds for suspension or revocation of the breeder's permit and  
6 shall be punishable by a fine of \$2,000. Repeated refusal by  
7 the breeder or the breeder's representative to be present, or to  
8 remain present, during an inspection as required by subsection  
9 (c) shall constitute a refusal under this subsection.

10 (e) Any person violating this section shall be subject to  
11 a civil penalty of up to \$2,000 per violation.

12 (f) For purposes of this section:

13 "Dog breeder" or "breeder" means a person, firm,  
14 partnership, corporation, pet store, importer, or other  
15 association that has sold, whelped, transferred, or given away  
16 all or part of one litter per dog per twelve month period or  
17 thirty or more dogs during the preceding twelve months. Sales  
18 include private, retail, and internet sales.

19 "Pet store" means any establishment or market place where  
20 animals are bought, sold, exchanged, or offered for sale to the



1 general public, including the keeping for transfer or the  
2 transfer of animals at temporary facilities, such as flea  
3 markets, mobile facilities, department stores, merchandise  
4 outlets, discount outlets, animal shows for the purpose of  
5 conducting a sale, and other types of retail outlets where  
6 animals are provided for dog show purposes, as companions, as  
7 household animals, or for breeding stock."

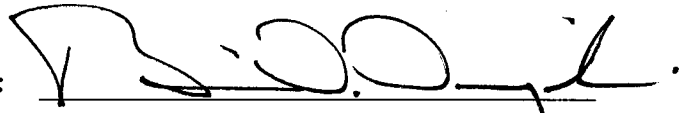

8 SECTION 2. This Act does not affect rights and duties that  
9 matured, penalties that were incurred, and proceedings that were  
10 begun before its effective date.

11 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

  
by request 



# S.B. NO. 2675

**Report Title:**

Dog Breeders; Permits; Counties; Animal Control Officers

**Description:**

Requires county animal control officers to establish a process for permitting and inspecting the premises of dog breeders. Establishes fees for permits and penalties for violators.

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

