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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. The legislature finds that animal abuse in our  
2 society cannot be tolerated. While abuse of defenseless animals  
3 in and of itself is despicable, there is also growing evidence  
4 of the link between animal abuse and crimes such as rape,  
5 spousal and child abuse, homicide, and illegal firearms  
6 possession. Studies have shown that violent offenders often  
7 have histories of animal abuse as children and adolescents.

8           In a 1997 survey of forty-eight of the largest shelters for  
9 victims of domestic violence and child abuse in the United  
10 States, sixty-three per cent of the shelters stated that  
11 children who went to the shelters reported incidents of animal  
12 abuse, while more than eighty-five per cent of the shelters  
13 stated that women who went to the shelters reported this type of  
14 abuse. Moreover, in another study, twenty-five per cent of  
15 battered women reported that they delayed removing themselves  
16 from abusive relationships because they feared what would happen  
17 to the family pets.



1            In 2010, Suffolk County in New York established the first  
 2 registry of animal abusers in the United States, similar to sex  
 3 offender registries. Since then, similar legislation providing  
 4 for animal abuser registration and community notification has  
 5 been introduced in a number of states. The legislature finds  
 6 that a registry of animal abusers in this State would be an  
 7 appropriate component of the State's laws protecting animals  
 8 against violence.

9            The purpose of this Act is to establish a registry of  
 10 animal abusers, to require registration by abusers, and to  
 11 provide public access to information about registered abusers.

12            SECTION 2. The Hawaii Revised Statutes is amended by  
 13 adding a new chapter to be appropriately designated and to read  
 14 as follows:

15    **"CHAPTER**

16    **REGISTRATION OF ANIMAL ABUSERS**

17            § -1 **Definitions.** As used in this chapter:

18            "Convicted" means a judgment on the verdict has been  
 19 entered, or a finding of guilt has been made after a plea of  
 20 guilty or nolo contendere, excluding the adjudication of a  
 21 minor.



1 "Covered offender" means a person who is or has been  
2 convicted at any time of a covered offense.

3 "Covered offense" means an offense that is set forth in  
4 section 711-1108.5 or 711-1109.3.

5 "Registration information" means the information specified  
6 in section -2(c) and (d).

7 § -2 **Registration requirements.** (a) A covered offender  
8 who remains in the State for more than ten consecutive days,  
9 before the end of the eleventh day in the State, shall register  
10 with the chief of police of the county in which the covered  
11 offender resides or is present.

12 (b) A previously-registered covered offender shall  
13 reregister with the chief of police where the covered offender  
14 is located no later than ten days after moving to a new location  
15 within the State.

16 (c) Registration for each covered offender shall include a  
17 signed statement by the covered offender containing:

18 (1) The name, all prior names, nicknames and pseudonyms,  
19 and all aliases used by the covered offender or under  
20 which the covered offender has been known;

21 (2) The date of birth of the covered offender;

22 (3) The social security number of the covered offender;



- 1           (4) The actual address and telephone number of the covered  
2           offender's residence or any current, temporary address  
3           where the covered offender resides, or if an address  
4           is not available, a description of the place or area  
5           in which the covered offender resides for at least  
6           thirty nonconsecutive days within a sixty-day period,  
7           and for each address or place where the covered  
8           offender resides, how long the covered offender has  
9           resided there;
- 10          (5) The actual address or description of the place or  
11          area, the actual length of time of the stay, and  
12          telephone number where the covered offender is staying  
13          for a period of more than ten days, if other than the  
14          stated residence;
- 15          (6) Names and, if known, actual business addresses of  
16          current and known future employers, including  
17          information for any place where the covered offender  
18          works as a volunteer or otherwise works without  
19          remuneration, and the starting and ending dates of any  
20          such employment; and



1           (7) All covered offenses for which the covered offender  
2           has been convicted, along with the date and place of  
3           the conviction.

4           (d) The following information shall also be included in  
5 the registry for each covered offender:

6           (1) A current photograph of the covered offender;

7           (2) Digitized fingerprints and palm prints of the covered  
8           offender; and

9           (3) A physical description of the covered offender,  
10           including a description of particular identifying  
11           characteristics such as scars or tattoos.

12           (e) In addition to any other requirement to register under  
13 this section, each covered offender shall annually renew the  
14 covered offender's registration with the appropriate chief of  
15 police prior to December 31 of each subsequent calendar year for  
16 a period of fifteen years from the date of conviction.

17           § -3 **Failure to comply with covered offender**  
18 **registration requirements.** A covered offender commits a class C  
19 felony by intentionally or knowingly:

20           (1) Failing to comply with the registration requirements  
21           under this chapter; or



1           (2) Providing false information when complying with the  
2           registration requirements under this chapter.

3           §   -4 Chief of police; duties. (a) Each chief of police  
4 shall maintain a local registry of covered offenders in the  
5 chief's jurisdiction who are required to register under this  
6 chapter.

7           (b) Each chief of police shall forward all registration  
8 information obtained under this chapter to the attorney general.

9           (c) Within ten days of receiving initial registration  
10 information from a covered offender, the chief of police shall  
11 contact every residence, school, humane society, animal shelter,  
12 and any other business within a half mile radius of the covered  
13 offender's residence or location and provide them with the  
14 covered offender's registration information, with the exception  
15 of the covered offender's social security number.

16          §   -5 Attorney general; duties; public access. (a) The  
17 attorney general shall maintain a central registry of all  
18 covered offenders required to register under this chapter;  
19 provided that records of each covered offender's registration  
20 shall be maintained for the duration of the fifteen year period  
21 in which the covered offender is required to be registered.



1 (b) All information contained in the central registry,  
2 with the exception of the covered offender's social security  
3 number, shall be made available to the public through internet  
4 access, telephone access, written access, and on-site access;  
5 provided that on-site public access shall be provided for each  
6 covered offender at the Hawaii criminal justice data center and  
7 at one or more designated police stations in each county, to be  
8 designated by the attorney general, between the hours of 8:00  
9 a.m. and 4:30 p.m. on weekdays, excluding holidays."

10 SECTION 3. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ or so  
12 much thereof as may be necessary for fiscal year 2013-2014 and  
13 the sum of \$ or so much thereof as may be necessary  
14 for fiscal year 2014-2015 for the establishment and ongoing  
15 operational costs of the registration of animal abusers program  
16 required under this Act, including the hiring of necessary  
17 staff. The legislature finds that the appropriations made  
18 under this section satisfy the requirements established under  
19 article VIII, section 5 of the Constitution of the State of  
20 Hawaii.



1 The sums appropriated shall be expended by the counties and  
2 the department of the attorney general for the purposes of this  
3 Act.

4 SECTION 4. This Act does not affect rights and duties that  
5 matured, penalties that were incurred, and proceedings that were  
6 begun before its effective date.

7 SECTION 5. This Act shall take effect on January 1, 2014.  
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JAN 18 2013





# H.B. NO. 408

**Report Title:**

Animal Abuse; Registry

**Description:**

Creates registry of felony animal abusers and authorizes public access to the registry. Establishes the violation of registration requirements as a class C felony. Effective 1/1/2014.

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

