
A BILL FOR AN ACT

RELATING TO ANIMAL CRUELTY.

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

1 SECTION 1. The legislature finds that it is important to
2 protect pet animals from cruel treatment and prevent pet animals
3 from enduring unnecessary or prolonged suffering. Steel-jawed
4 leg-hold traps were originally designed to capture fur-bearing
5 animals such as bears, foxes, beavers, and other animals that
6 are not present in Hawaii. Snares and foot- or leg-hold traps
7 were designated to capture other non-domesticated animals.

8 Unfortunately, domesticated pet animals are frequent
9 victims of snares and may also become victims of steel-jawed
10 leg-hold, conibear, or foot- or leg-hold traps. Cases have been
11 reported of dogs and cats found dead or severely injured after
12 being caught in these devices or chewing off their own limbs in
13 an attempt to escape these devices.

14 The legislature further finds that existing laws and
15 administrative rules do not prohibit or regulate the use of
16 steel-jawed leg-hold, conibear, foot- or leg-hold traps or
17 snares, all of which can be easily purchased on the Internet.



1 The purpose of this Act, therefore, is to:

2 (1) Establish a reporting requirement for any dog or cat
3 captured or killed in any steel-jawed leg-hold trap,
4 snare, conibear trap, or foot- or leg-hold trap;

5 (2) Establish an animal cruelty offense for the use of
6 snares, conibear traps, and foot- or leg-hold traps in
7 residential areas and the use of steel-jawed leg-hold
8 traps;

9 (3) Provide exemptions from the offense for certain
10 activities carried out by state and federal agencies;
11 and

12 (4) Establish the offense as a misdemeanor.

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

16 "§143- Reporting of dog or cat captured or killed in
17 snare or trap. Any dog or cat captured or killed in any steel-
18 jawed leg-hold trap, snare, conibear trap, or foot- or leg-hold
19 trap, as those terms are defined in section 711- , in an area
20 zoned as residential shall be immediately checked for
21 identification and reported to a county animal control officer,



1 and upon request, shall be turned over to the animal control
2 officer."

3 SECTION 3. Chapter 711, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§711- Cruelty to animals by trapping. (1) A person
7 commits the offense of cruelty to animals by trapping if the
8 person intentionally, knowingly, or recklessly uses, sets, or
9 maintains:

10 (a) A steel-jawed leg-hold trap; or

11 (b) A snare, conibear trap, or foot- or leg-hold trap in
12 an area zoned as residential or any other area where
13 such trap is prohibited by law or rule; except under
14 the situations described in subsection (2).

15 (2) Subsection (1) shall not apply to employees of state
16 or federal agencies, or persons acting as a designated
17 cooperator or an agent of the State, who are carrying out
18 activities required under a management plan approved by state or
19 federal agencies, pursuant to a mandatory statutory duty for the
20 protection of species listed as threatened or endangered
21 species, or other wildlife species protected by law, or for the
22 protection of public health, safety, or property.



1 (3) As used in this section:

2 "Conibear trap" means a contrivance consisting of metal or
3 steel designed to kill by crushing the body or severing the
4 spinal cord of any animal.

5 "Foot- or leg-hold trap" means a contrivance consisting of
6 metal or steel that is off-set, padded or laminated, and is
7 designed to capture and hold any animal by foot and limb.

8 "Snare" means a contrivance consisting of a noose,
9 regardless of material, designed to capture, trap, or kill any
10 animal or hold any animal by foot, limb, or neck.

11 "Steel-jawed leg-hold trap" means a spring-powered
12 contrivance that captures or holds the limb of an animal by
13 exerting a lateral force with fix-mounted jaws.

14 (4) Cruelty to animals by trapping is a misdemeanor."

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

18 SECTION 5. New statutory material is underscored.

19 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Animal Cruelty; Trapping

Description:

Requires dogs or cats that are captured or killed in a snare or trap to be reported to a county animal control officer.

Establishes the offense of cruelty to animals by trapping as a misdemeanor. (HB493 HD1)

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

