

JAN 18 2013

S.B. NO. 744

A BILL FOR AN ACT

RELATING TO WILDLIFE.

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

1 SECTION 1. Chapter 183D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§183D- Body-crushing traps, foot- or leg-hold traps,
5 and snares prohibited; penalties. (a) Notwithstanding any law
6 to the contrary, no person shall use, set, or maintain a body-
7 crushing trap, a foot- or leg-hold trap, or a snare to take any
8 animal including but not limited to wildlife, game, and
9 predators in the State of Hawaii.

10 (b) This section shall not apply to accepted practices for
11 rodent control.

12 (c) The department shall adopt rules pursuant to chapter
13 91 to carry out the purposes of this section.

14 (d) Any person violating this section or any rule adopted
15 pursuant to this section shall be guilty of a misdemeanor under
16 section 183D-5(b)."



1 SECTION 2. Section 183D-1, Hawaii Revised Statutes, is
2 amended by adding three new definitions to be appropriately
3 inserted and to read as follows:

4 "Body-crushing trap" means a contrivance consisting of
5 metal or steel, other than a foot- or leg-hold trap or snare,
6 designed to kill by crushing the body or severing the spinal
7 cord of any animal including but not limited to wildlife, game,
8 and predators.

9 "Foot- or leg-hold trap" means a contrivance consisting of
10 metal or steel which is designed to capture, hold, or kill any
11 animal including but not limited to wildlife, game, and
12 predators by a foot or limb.

13 "Snare" means a contrivance consisting of a noose,
14 regardless of material, designed to capture, hold, or kill any
15 animal including but not limited to wildlife, game, and
16 predators."

17 SECTION 3. Section 183D-5, Hawaii Revised Statutes, is
18 amended by amending subsection (b) to read as follows:

19 "(b) Any person violating section 183D-25.5, 183D-26,
20 183D-27, 183D-32, 183D-62, [~~or~~] 183D-64, or 183D- shall be
21 guilty of a misdemeanor, and upon conviction thereof, shall be
22 punished as follows:



- 1 (1) For a first conviction by a mandatory fine of not less
2 than \$200, or by imprisonment of not more than one
3 year, or both[+], and all body-crushing traps, foot-
4 or leg-hold traps, or snares used in the commission of
5 the violations shall be considered contraband to be
6 forfeited to and disposed of by the State;
- 7 (2) For a second conviction within five years of a
8 previous conviction, by a mandatory fine of not less
9 than \$1,000, or by imprisonment of not more than one
10 year, or both, and all firearms, body-crushing traps,
11 foot- or leg-hold traps, or snares used in the
12 commission of the violations shall be considered
13 contraband to be forfeited to and disposed of by the
14 State; and
- 15 (3) For a third or subsequent conviction within five years
16 of the first two or more convictions, by a mandatory
17 fine of not less than \$2,000, or by imprisonment of
18 not more than one year, or both, and all firearms,
19 body-crushing traps, foot- or leg-hold traps, or
20 snares used in the commission of the violations shall
21 be considered contraband to be forfeited to and
22 disposed of by the State."



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

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: _____

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Report Title:

Wildlife; Traps; Snares

Description:

Prohibits the use of body-crushing traps, foot- or leg-hold traps, and snares to take any animal in the State. Establishes penalties for violations.

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

