

JAN 18 2013

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



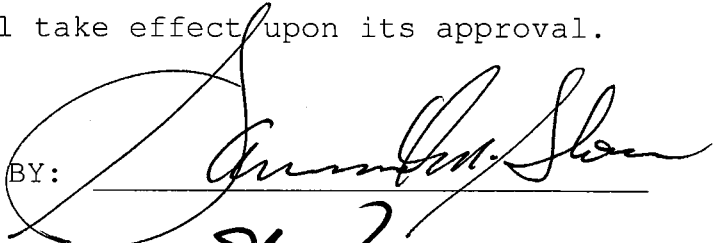

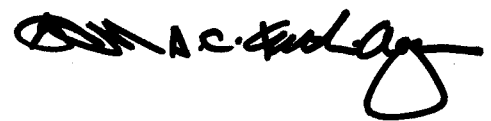
1 (h) Assists another in the commission of any act specified
2 in subsections (1)(a) through (1)(g)."

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.

6

INTRODUCED BY:



S.B. NO. 779

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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