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# A BILL FOR AN ACT

RELATING TO FERAL BIRDS.

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

1           SECTION 1. The legislature finds that citizens who feed  
2 large numbers of feral birds pose a significant health risk to  
3 the public and can dramatically interfere with residents'  
4 enjoyment of the outdoors. Bird droppings pollute waterways and  
5 damage roofs, vehicles, ventilation systems, and other parts of  
6 buildings. Droppings on walkways make the paths unsafe,  
7 unsanitary, and potentially hazardous due to parasites and  
8 diseases.

9           Large flocks of birds compound the number of droppings and  
10 can severely interfere with residents' private enjoyment of  
11 their homes, surrounding properties, public parks, and other  
12 outdoor areas in addition to increasing health risks.

13           The purpose of this Act is to provide a cause of action for  
14 residents injured by neighbors who feed feral birds.

15           SECTION 2. Chapter 663, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:



1        "§663-        Liability for feeding of feral birds; injunctive

2 relief. (a) A person who feeds feral birds shall be liable in  
3 damages to any person injured if the feral birds proximately  
4 cause either personal injury or property damage to the person.

5        (b) Any person who suffers damage pursuant to subsection  
6 (a) may bring an action for injunctive relief restraining  
7 further action in violation of this section.

8        (c) The prevailing party, in an action brought under this  
9 section, shall be entitled to recover the costs of the suit,  
10 including reasonable attorney's fees.

11       (d) Nothing herein shall apply to any federal, state, or  
12 county employee engaged in the discharge of an official duty.

13       (e) In this section:

14       "Feed" means to provide, place, deposit, scatter,  
15 distribute, disseminate, deposit, or expose food for the purpose  
16 of eating.

17       "Feral birds" means any non-domesticated avian, including  
18 pigeons.

19       "Food" includes grain, seeds, breadcrumbs, garbage, or  
20 other miscellaneous food items."



# H.B. NO. 15

1           SECTION 3. 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 4. New statutory material is underscored.

5           SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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# H.B. NO. 15

**Report Title:**

Feral Birds; Feeding; Civil Remedy

**Description:**

Provides a civil cause of action for personal injury or property damage proximately caused by a person who feeds feral birds.

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

