
A BILL FOR AN ACT

RELATING TO DOG OWNER LIABILITY.

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

1 SECTION 1. Section 142-74, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) If any dog, while on public property or private
4 property without the consent of the owner of that property,
5 [~~injures or destroys~~] without provocation attacks any sheep,
6 cattle, goat, hog, fowl, dog, or cat, causing an injury or
7 damage to other property belonging to any person other than the
8 owner of the attacking dog, the owner of the attacking dog shall
9 be liable in damages to the person injured for the value of the
10 property so injured or destroyed. The owner of the attacking
11 dog shall confine or destroy the dog, and if the owner of the
12 attacking dog neglects or refuses to do so, the owner of the
13 attacking dog, in the event of any further damage being done to
14 the person or property of any person by the attacking dog, in
15 addition to paying the person injured for the damage, shall pay
16 the costs of the trial together with the penalty imposed under
17 section 142-12, and it shall be lawful for any other person to
18 destroy the attacking dog. This subsection shall not apply to



1 the owner of any sheep, cattle, goat, hog, fowl, dog, or cat
2 that caused injuries or destruction of property while defending
3 itself against an attack by another animal."

4 SECTION 2. 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 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Dog Owners; Civil Liability

Description:

Provides that the owner of an attacking dog shall be liable for injuries and damage caused by the dog on public property. Requires the owner of an attacking dog to be liable for injuries or destruction of certain animals. Exempts owners of certain animals that cause injuries or destruction of property while defending themselves against an attack by another animal. (SD1)

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

