
A BILL FOR AN ACT

RELATING TO VETERINARY MEDICINE.

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

1 SECTION 1. Section 471-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§471-2 License required.** No person shall practice
4 veterinary medicine, either gratuitously or for pay, or shall
5 offer to so practice, or shall announce or advertise, publicly
6 or privately, as prepared or qualified to so practice, or shall
7 append the letters "Dr." or affix any other letters to the
8 person's name, with the intent [~~thereby~~] to imply that the
9 person is a practitioner of veterinary medicine, without having
10 a valid unrevoked license obtained from the board of veterinary
11 examiners; provided that nothing in this chapter prevents or
12 prohibits the following:

13 (1) Any person from gratuitously treating animals in case
14 of emergency;

15 (2) The owner of any animal or animals and the owner's
16 full-time, regular employees from caring for and
17 treating any animals belonging to the owner; provided
18 that the owner of a pet animal and the owner's



1 employees shall not perform any surgical procedures on
2 the pet animal, including but not limited to surgical
3 birth, tail docking, dewclaw removal, ear cropping,
4 and debarking; and provided further that persons
5 residing in counties with a population of less than
6 five hundred thousand persons may conduct tail docking
7 and dewclaw removal procedures on pet animals within
8 five days of the pet animal's birth. For purposes of
9 this paragraph, "pet animal" shall have the same
10 meaning as in section 711-1100;

- 11 (3) Any student enrolled in any veterinary school or
12 college or any employee of a veterinarian from working
13 under the direct supervision of a veterinarian;
- 14 (4) Any person from practicing veterinary medicine in the
15 employ of the United States government while engaged
16 in the performance of the person's official duties;
- 17 (5) Any person licensed to practice veterinary medicine in
18 any state, or any certified scientist or professional
19 in animal care, from practicing in this State when in
20 actual consultation with or under the sponsorship of
21 veterinarians of this State; provided that the person
22 licensed from another state, or the certified



1 scientist or professional in animal care, shall not
2 open an office, or appoint a place to meet patients,
3 or receive calls within the limits of the State;

4 (6) Any farmer from giving to another farmer the
5 assistance customarily given in the ordinary practice
6 of animal husbandry; or

7 (7) Any applicant who meets the licensing requirements of
8 practicing veterinary medicine under a veterinarian by
9 permit; provided the applicant applies for and takes
10 the first examination scheduled by the board. A
11 permit shall not be renewed."

12 SECTION 2. Section 471-15, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "[~~§~~§471-15[~~§~~] **Criminal penalties.** [Any] (a) Except as
15 provided in subsection (b), any person convicted of violating
16 section 471-2 shall [~~have committed~~] be guilty of a misdemeanor
17 and shall be subject to a fine not to exceed \$500 [~~or~~],
18 imprisoned not more than six months, or both.

19 [~~Additionally,~~] (b) Any person convicted of violating
20 section 471-2 and who, in the course of that violation,
21 intentionally or knowingly performs any surgical procedure,
22 including but not limited to surgical birth, ear cropping, tail



1 docking, dewclaw removal, and debarking, on a pet animal shall
2 be guilty of a class C felony. For purposes of this subsection,
3 "pet animal" shall have the same meaning as in section 711-1100.

4 (c) In addition to the penalties provided in subsections
5 (a) and (b), all tools, implements, appliances, medicine, and
6 drugs used in the practice of veterinary medicine by any person
7 convicted of practicing veterinary medicine without a license
8 shall be declared forfeited to the State by the court and turned
9 over to the board for disposition as it may choose to make."

10 SECTION 3. Section 711-1108.5, Hawaii Revised Statutes, is
11 amended by amending subsection (2) to read as follows:

12 "(2) Subsection (1)(a) shall not apply to:

13 (a) Accepted veterinary practices[+] performed by a
14 veterinarian licensed under chapter 471;

15 (b) Activities carried on for scientific research governed
16 by standards of accepted educational or medicinal
17 practices; [ø] and

18 (c) Cropping or docking as customarily practiced[-] and
19 performed by a veterinarian licensed under chapter
20 471."



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 on July 1, 2112.



Report Title:

Veterinary Medicine; Criminal Penalties; Pet Animals

Description:

Prohibits pet animal owners and owners' employees from performing surgical procedures, including surgical birth, ear cropping, tail docking, dewclaw removal, and debarking on the pet animal without being a licensed veterinarian, with some exceptions. Makes intentional or knowing violation of this prohibition a class C felony. Specifies that accepted veterinary practices and cropping or docking as customarily practiced, shall not be considered cruelty to animals in the first degree if performed by a licensed veterinarian. Effective July 1, 2112. (SB8 HD1)

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

