
A BILL FOR AN ACT

RELATING TO ANIMALS.

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

1 SECTION 1. The legislature finds that thousands of
2 animals, primarily dogs and cats, are deserted or abandoned
3 across Hawaii every year, which contributes to increased animal
4 control costs, animal suffering and overpopulation, and
5 increased euthanasia rates at local animal shelters. Abandoned
6 animals are often subject to illness, injury, starvation,
7 disease, attacks by other animals, and even human cruelty.
8 Abandoned animals may also harm native wildlife. Weak penalties
9 associated with Hawaii's current animal desertion statute have
10 failed to adequately deter animal abandonment. Stronger
11 penalties would encourage pet owners to work with local shelters
12 and animal control contractors when a pet needs a new home,
13 strengthen pet retention and the human-animal bond, and protect
14 pet owners and the animals.

15 The purpose of this Act is to increase penalties for animal
16 desertion.

17 SECTION 2. Section 143-2.6, Hawaii Revised Statutes, is
18 amended to read as follows:



1 "~~[+]~~§143-2.6~~[+]~~ **Animal desertion.** (a) It shall be
2 unlawful for the owner of any animal or any person in possession
3 of an animal ~~[that belongs to another person to leave the animal~~
4 ~~without the intention of returning to it.]~~ to desert that
5 animal.

6 (b) Any person who violates ~~[this section]~~ subsection (a)
7 shall be guilty of a petty misdemeanor~~[-]~~ and subject to a fine
8 of no less than \$1,000 in addition to any other penalties.

9 (c) Any person who violates subsection (a) and:

10 (1) Thereby recklessly causes the death of or substantial
11 bodily injury to the animal; or

12 (2) Thereby subsequently enables the deserted animal to
13 cause the death or injury of livestock,

14 shall be guilty of a misdemeanor and subject to a fine of no
15 less than \$2,000 in addition to any other penalties.

16 (d) Each animal deserted that suffers death or substantial
17 bodily injury shall constitute a separate offense.

18 (e) This section shall not apply to the release of an
19 animal as part of a population management program or the
20 surrender of an animal to a society or organization formed for



1 the prevention of cruelty to animals or similar animal
2 protection organization.

3 (f) For purposes of this section, "desert" means to leave
4 without intending to return."

5 SECTION 3. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

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

10 SECTION 5. This Act shall take effect on January 7, 2059.



Report Title:

Animal Desertion; Penalties; Fines

Description:

Clarifies that it is unlawful for the owner of any animal or any person in possession of an animal to desert that animal. Amends the petty misdemeanor offense for animal desertion and establishes a misdemeanor when an animal is deserted and the person recklessly causes the death of or substantial bodily injury to the animal or the deserted animal subsequently causes the death or injury of livestock. Establishes a separate offense for each animal deserted that suffers death or substantial bodily injury. Creates an exemption for animal population control or animal surrender. Takes effect on 1/7/2059. (SD1)

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