
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 existing state law
2 does not require dog owners to notify officials upon transfer of
3 ownership. Furthermore, persons who implant microchips in their
4 dogs are not required to keep the information on the chip
5 updated. Consequently, it can often be difficult to track the
6 chain of ownership if a dog has been transferred multiple times.
7 This, in turn, hinders the ability to hold accountable those who
8 abandon their dogs or perpetrate acts of animal cruelty.

9 A recent example of a case that fell through the cracks is
10 that of Hope, a dog that was found on the side of a road in
11 Nanakuli and taken to a local veterinary hospital. Hope was in
12 such bad health upon arrival that a cruelty report was
13 immediately filed with the Honolulu police department. Hope
14 spent sixty-two days in hospital care, as she was severely
15 emaciated, had massive organ failure, and suffered from tick-
16 borne diseases, among other things.



1 While Hope was convalescing, volunteers diligently worked
2 to get the cruelty case heard. A reward was issued for the
3 person responsible, neighborhoods were canvassed, and Hope's
4 story was told by local media outlets. The man whose name was
5 registered to Hope's microchip informed law enforcement
6 officials that he had sold her, but could not provide the name
7 of the buyer. Further investigation discovered that ownership
8 of Hope had changed multiple times.

9 Ultimately, Hope died of complications directly related to
10 the abuse she suffered. However, due to holes in Hawaii's
11 current animal cruelty laws, no person was punished or held
12 accountable.

13 Accordingly, the purpose of this Act is to:

- 14 (1) Require persons holding a dog license to notify the
15 director of finance of the applicable county if
16 ownership of the dog is transferred;
- 17 (2) Require persons holding a dog license to provide
18 microchip information to the director of finance; and
- 19 (3) Extend criminal liability to the owner of a dog that
20 has been deprived of sustenance.



1 SECTION 2. This Act shall be known and may be cited as
2 "Hope's Law."

3 SECTION 3. Chapter 143, Hawaii Revised Statutes, is
4 amended by adding two new sections to be appropriately
5 designated and to read as follows:

6 "§143- Procedure for transfer of licensed dogs. (a) A
7 person who holds a dog license shall give notice to the director
8 of finance of the transfer of the dog within fourteen days of
9 the transfer. Notice shall be in a form provided by the
10 director of finance and shall include:

11 (1) All information required for licensing under section
12 143-4; and

13 (2) The name and address of the transferee.

14 The director of finance shall terminate the person's dog license
15 upon receipt of the notice of transfer of the dog.

16 (b) If a person fails to give notice of transfer of a dog
17 to the director of finance as required by this section, the
18 person shall retain all liability and the person may be liable
19 for any acts of animal cruelty pursuant to section 711-
20 1109(1)(b).



1 §143- Microchip information. A person who seeks or
2 holds a dog license for a dog with a microchip shall provide the
3 director of finance with the dog's microchip identification
4 number at the time the person applies for the license or, if the
5 microchip is obtained thereafter, within fourteen days from when
6 the microchip is obtained for the dog."

7 SECTION 4. Section 711-1109, Hawaii Revised Statutes, is
8 amended by amending subsection (1) to read as follows:

9 "**§711-1109 Cruelty to animals in the second degree.** (1)

10 A person commits the offense of cruelty to animals in the second
11 degree if the person intentionally, knowingly, or recklessly:

12 (a) Overdrives, overloads, tortures, torments, beats,
13 causes substantial bodily injury to, or starves any
14 animal, or causes the overdriving, overloading,
15 torture, torment, beating, or starving of any animal;

16 (b) Deprives a pet animal of necessary sustenance or
17 causes such deprivation; provided that:

18 (i) Any person who abandons a dog, which abandonment
19 results in the dog being deprived of necessary
20 sustenance, shall be in violation of this
21 section; and



1 (ii) The owner of a dog that has been deprived of
2 necessary sustenance may also be in violation of
3 this section if it is determined that the owner's
4 actions led to or indirectly caused the
5 deprivation. For purposes of this paragraph, the
6 term "owner" includes the person who most
7 recently held the license on the dog;

8 (c) Mutilates, poisons, or kills without need any animal
9 other than insects, vermin, or other pests; provided
10 that the handling or extermination of any insect,
11 vermin, or other pest is conducted in accordance with
12 standard and acceptable pest control practices and all
13 applicable laws and regulations;

14 (d) Keeps, uses, or in any way is connected with or
15 interested in the management of, or receives money for
16 the admission of any person to, any place kept or used
17 for the purpose of fighting or baiting any bull, bear,
18 cock, or other animal, and includes every person who
19 encourages, aids, or assists therein, or who permits
20 or suffers any place to be so kept or used;

1 (e) Carries or causes to be carried, in or upon any
2 vehicle or other conveyance, any animal in a cruel or
3 inhumane manner;

4 (f) Confines or causes to be confined, in a kennel or
5 cage, any pet animal in a cruel or inhumane manner;

6 (g) Tethers, fastens, ties, or restrains a dog to a
7 doghouse, tree, fence, or any other stationary object
8 by means of a choke collar, pinch collar, or prong
9 collar; provided that a person is not prohibited from
10 using such restraints when walking a dog with a hand-
11 held leash or while a dog is engaged in a supervised
12 activity; or

13 (h) Assists another in the commission of any act specified
14 in [~~subsections (1)(a)~~] paragraphs (a) through
15 [~~(1)(g)~~] (g)."

16 SECTION 5. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

19 SECTION 6. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Hope's Law; Animal Cruelty; Liability; Dog License; Microchip

Description:

Extends criminal liability to a person who abandons a dog or the owner of a dog if the dog has been deprived of sustenance and it is determined that their actions led to the deprivation.

Requires persons holding a dog license to provide notification if ownership of the dog is transferred. Requires persons holding a dog license to provide microchip information. (HB702 HD1)

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

