

Honolulu, Hawaii
March 3, 2016

RE: H.B. No. 2245
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2245 entitled:

"A BILL FOR AN ACT RELATING TO ANIMALS,"

begs leave to report as follows:

The purpose of this measure is to increase the penalties for animal desertion by subjecting a person who leaves an animal without intending to return to it to:

- (1) A \$1,000 fine and a petty misdemeanor charge for animal desertion; and
- (2) A \$2,000 fine and a misdemeanor charge for animal desertion if the deserted animal suffers death or substantial bodily injury.

This measure also provides that each instance of a violation constitutes a separate offense.

The Department of Land and Natural Resources, Department of Agriculture, Conservation Council for Hawai'i, Hawaii Cat Foundation, Hawaiian Humane Society, The Humane Society of the United States, Poi Dogs & Popoki, Animal Rights Hawai'i, University of Hawai'i William S. Richardson School of Law Student Animal Legal Defense Fund, and numerous individuals testified in support of this measure.



Your Committee has amended this measure by:

- (1) Specifying that a person who is guilty of animal desertion is subject to a \$2,000 fine and misdemeanor charge not only if the deserted animal suffers death or substantial bodily injury, but also if the deserted animal causes the death or injury of livestock;
- (2) Specifying that the offense of animal desertion does not apply to the release of an animal as part of a population management program; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

It is your Committee's intent that this measure not apply to dogs that fail to return to their owners after engaging in the act of hunting. Your Committee also wishes to note that a trap-neuter-return management program, even if conducted by an individual in an unofficial capacity, is considered a population management program for purposes of this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2245, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2245, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



