
A BILL FOR AN ACT

RELATING TO ANIMAL CRUELTY.

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

1 SECTION 1. The legislature finds that a number of states
2 have enacted various laws to protect animals from cruel and
3 inhumane treatment, including laws relating to confinement,
4 sales, slaughter, and consumption. The State of Hawaii
5 recognizes and values the humane treatment of animals, and as a
6 message to the rest of the nation, joins the animal-protection
7 states by prohibiting the confinement of specified animals in a
8 cruel manner and prohibiting the sale of those animals. The
9 legislature further finds that the federal government prohibits
10 the slaughtering of cats and dogs for human consumption.
11 Hawaii, like other states, will conform to the federal
12 prohibition against the slaughter and human consumption of cats
13 and dogs.

14 Accordingly, the purpose of this Act is to:

15 (1) Specify the confinement conditions that avoids
16 confinement in a cruel manner for certain covered



1 animals and prohibit the sale of covered animals that
2 are confined in a cruel manner; and

3 (2) Prohibit the slaughter of dogs and cats for human
4 conditions.

5 SECTION 2. Chapter 145, Hawaii Revised Statutes, is
6 amended by adding a new part to be appropriately designated and
7 to read as follows:

8 "PART . PROHIBITED CONFINEMENT AND SALES OF FARM ANIMALS

9 §145-A Definitions. As used in this part:

10 "Breeding pigs" means any female pig of the porcine species
11 kept for the purpose of commercial breeding that is six months
12 or older or pregnant.

13 "Business owner or operator" means any person who owns or
14 controls the operation of a business.

15 "Cage-free housing system" means an indoor or outdoor
16 controlled environment for egg-laying hens within which hens are
17 free to roam unrestricted; are provided enrichment that allow
18 them to exhibit natural behaviors, including, at a minimum,
19 scratch areas, perches, nest boxes, and dust bathing areas; and
20 within which farm employees can provide care while standing
21 within the housing system's usable floorspace. Cage-free



1 housing systems include, to the extent they comply with the
2 requirements of this part, the following:

3 (1) Multitiered aviaries, in which hens have access to
4 multiple elevated platforms that provide hens with
5 usable floorspace both on top and underneath the
6 platforms;

7 (2) Partially slatted systems, in which hens have access
8 to elevated flat platforms under which manure drops
9 through the flooring to a pit or litter removal belt
10 below;

11 (3) Single-level all-litter floor systems bedded with
12 litter, in which hens have limited or no access to
13 elevated flat platforms; and

14 (4) Any future system that complies with the requirements
15 of this part.

16 "Calf raised for veal" means any calf of the bovine species
17 kept for the purpose of producing the food product described as
18 veal.

19 "Confined in a cruel manner" means any one of the following
20 acts:



- 1 (1) Confining a covered animal in a manner that prevents
2 the animal from lying down, standing up, fully
3 extending the animal's limbs, or turning around
4 freely;
 - 5 (2) After December 31, 2019, confining a calf raised for
6 veal with less than forty-three square feet of usable
7 floorspace per calf;
 - 8 (3) After December 31, 2021, confining a breeding pig with
9 less than twenty-four square feet of usable floor
10 space per pig;
 - 11 (4) After December 31, 2019, confining an egg-laying hen
12 with less than one hundred forty-four square inches of
13 usable floorspace per hen; and
 - 14 (5) After December 31, 2021, confining an egg-laying hen
15 with less than the amount of usable floor space per
16 hen required by the 2017 edition of the United Egg
17 Producers' Animal Husbandry Guideline for U.S. Egg-
18 Laying Flocks: Guidelines for Cage-Free Housing or in
19 an enclosure other than a cage-free housing system.
- 20 "Covered animals" means any calf raised for veal, breeding
21 pigs, or egg-laying hens that are kept on a farm.



1 "Egg-laying hen" means any female domesticated chicken,
2 turkey, duck, goose, or guineafowl kept for the purpose of egg
3 production.

4 "Enclosure" means a structure used to confine a covered
5 animal or animals.

6 "Farm" means the land, building, support facilities, and
7 other equipment that are wholly or partially used for the
8 commercial production of animals or animal products used for
9 food or fiber; and does not include live animal markets,
10 establishments at which mandatory inspection is provided under
11 the Federal Meat Inspection Act (21 U.S.C. section 601, et
12 seq.), or official plants at which mandatory inspection is
13 maintained under the federal Egg Production Inspection Act (21
14 U.S.C. section 1031, et seq.).

15 "Farm owner or operator" means any person who owns or
16 controls the operation of a farm.

17 "Fully extending the animal's limbs" means fully extending
18 all limbs without touching the side of an enclosure or another
19 animal.

20 "Liquid eggs" means eggs of an egg-laying hen broken from
21 the shell, intended for human food, with the yolks and whites in



1 their natural proportions, or with the yolks and whites
2 separated, mixed, or mixed and strained. Liquid eggs do not
3 include combination food products, including pancake mixes, cake
4 mixes, cookies, pizzas, cookie dough, ice cream, or similar
5 processed or prepared food products, that are comprised of more
6 than liquid eggs, sugar, salt, water, seasoning, coloring,
7 flavoring, preservatives, stabilizers, and similar food
8 additives.

9 "Meat" means the part of the muscle of any cattle, sheep,
10 swine, goats, or fallow deer that is skeletal or that is found
11 in the tongue, in the diaphragm, in the heart, or the esophagus,
12 with or without the accompanying and overlying fat, and the
13 portions of bone, skin, sinew, nerve, and blood vessels that
14 normally accompany the muscle tissue and that are not separated
15 from it in the process of dressing. It does not include the
16 muscle found in the lips, snout, or ears.

17 "Pork meat" means meat of a pig of the porcine species,
18 intended for use as human food.

19 "Sale" means a commercial sale by a business that sells any
20 item covered by this part, but does not include any sale
21 undertaken at an establishment at which mandatory inspection is



1 provided under the Federal Meat Inspection Act (21 U.S.C.
2 section 601, et seq.), or any sale undertaken at an official
3 plant at which mandatory inspection is maintained under the
4 federal Egg Products Inspection Act (21 U.S.C. section 1031, et
5 seq.). For purposes of this part, a sale shall be deemed to
6 occur at the location where the buyers take physical possession
7 of an item under sections 145-B and 145-C.

8 "Shell egg" means a whole egg of an egg-laying hen in its
9 shell form, intended for use as human food.

10 "Turning around freely" means turning in a complete circle
11 without impediments, including a tether, and without touching
12 the side of an enclosure or another animal.

13 "Uncooked" means requiring cooking prior to human
14 consumption.

15 "Usable floorspace" means the total square footage provided
16 to each covered animal, as calculated by dividing the total
17 footage of floorspace provided to the animals in an enclosure by
18 the number of animals in that enclosure. In the case of egg-
19 laying hens, usable floorspace shall include both ground space
20 and elevated level flat platforms upon which hens may roost, but
21 shall not include perches or ramps.



1 "Veal meat" means meat of a calf raised for veal intended
2 for use as human food.

3 "Whole pork meat" means any uncooked cut of pork, including
4 bacon, ham, chop, ribs, riblet, loin, shank, leg, roast,
5 brisket, steak, sirloin, or cutlet, that is comprised entirely
6 of pork meat, except for seasoning, curing agents, coloring,
7 flavoring, preservatives, and similar meat additives. Whole
8 pork meat does not include combination food products, including
9 soups, sandwiches, pizzas, hotdogs, or similar processed or
10 prepared food products, that are comprised of more than pork
11 meat, seasoning, curing agents, coloring, flavoring,
12 preservatives, and similar meat additives.

13 "Whole veal meat" means any uncooked cut of veal, including
14 chop, ribs, riblet, loin, shank, leg, roast, brisket, steak,
15 sirloin, or cutlet, that is comprised entirely of veal meat,
16 except for seasoning, curing agents, coloring, flavoring,
17 preservatives, and similar meat additives. Whole veal meat does
18 not include combination food products, including soups,
19 sandwiches, pizzas, hotdogs, or similar processed or prepared
20 food products, that are comprised of more than veal meat,



1 seasoning, curing agents, coloring, flavoring, preservatives,
2 and similar meat additives.

3 **§145-B Prohibited confinement of covered animals.** (a) A
4 farm owner or operator within the State shall not knowingly
5 cause any covered animal to be confined in a cruel manner.

6 (b) Any person who violates this section shall be guilty
7 of a misdemeanor and subject to a fine in an amount not greater
8 than \$5,000 for each violation.

9 **§145-C Prohibited sale of covered animals.** (a) A
10 business owner or operator shall not knowingly engage in the
11 sale within the State of any of the following:

12 (1) Whole veal meat that the business owner or operator
13 knows or should know is the meat of a covered animal
14 that was confined in a cruel manner;

15 (2) Whole pork meat that the business owner or operator
16 knows or should know is the meat of a covered animal
17 that was confined in a cruel manner or is the meat of
18 immediate offspring of a covered animal that was
19 confined in a cruel manner;



1 (3) Shell egg that the business owner or operator knows or
2 should know is the product of a covered animal that
3 was confined in a cruel manner; and

4 (4) Liquid eggs that the business owner or operator knows
5 or should know are the product of a covered animal
6 that was confined in a cruel manner.

7 (b) Any person who violates this section shall be guilty
8 of a misdemeanor and subject to a fine in an amount not greater
9 than \$5,000 for each violation."

10 SECTION 3. Chapter 321, Hawaii Revised Statutes, part
11 XLIV, is amended by adding a new section to be appropriately
12 designated and to read as follows:

13 "§321- Prohibition on slaughter of dogs and cats for
14 human consumption. (a) No person shall knowingly:

15 (1) Slaughter a dog or cat for human consumption; or

16 (2) Ship, transport, move, deliver, receive, possess,
17 purchase, sell, or donate:

18 (A) A dog or cat to be slaughtered for human
19 consumption; or

20 (B) A dog or cat part for human consumption.



1 (b) Any person who violates this section shall be guilty
2 of a misdemeanor and subject to a fine in an amount not greater
3 than \$5,000 for each violation."

4 SECTION 4. If any provision of this Act, or the
5 application thereof to any person or circumstance, is held
6 invalid, the invalidity does not affect other provisions or
7 applications of the Act that can be given effect without the
8 invalid provision or application, and to this end the provisions
9 of this Act are severable.

10 SECTION 5. In codifying the new sections added by section
11 1 of this Act, the revisor of statutes shall substitute
12 appropriate section numbers for the letters used in designating
13 the new sections in this Act.

14 SECTION 6. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 7. New statutory material is underscored.

18 SECTION 8. This Act shall take effect upon its approval;
19 provided that section 1 shall take effect on January 1, 2020.

20

INTRODUCED BY: _____



Tim Winters

JAN 23 2019



H.B. NO. 1281

Report Title:

Animals; Cruel Confinement; Sales; Cats and Dogs; Human Consumption

Description:

Prohibits the confinement of specified animals in a cruel manner and prohibits business owners and operators from selling those animals. Prohibits slaughtering cats and dogs for human consumption to conform to federal law.

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