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## 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 the State's pet  
2 overpopulation issue must be addressed. Every year, thousands  
3 of unwanted animals arrive at state animal shelters and rescue  
4 organizations. The Hawaiian Humane Society alone receives  
5 approximately ten thousand unwanted dogs and puppies each year.  
6 Sadly, this is a national trend - approximately two million  
7 homeless pets are euthanized in the United States every year.

8           The legislature further finds that animals sold in pet  
9 stores are often obtained from unregulated commercial breeders  
10 who do not provide sanitary and humane living conditions for the  
11 animals. Additionally, many of the puppies sold in pet stores  
12 are obtained from mass breeding operations known as puppy mills.  
13 In Hawaii, these puppy mills are often hidden from public-view,  
14 on lands that are designated for agricultural use and exempt  
15 from a law that limits dog ownership to a maximum of ten dogs.

16           The legislature also finds that there are responsible and  
17 ethical breeders who only sell animals directly to private



1 individuals. These breeders often spend more time and resources  
2 on their animals than other breeders, and they play an important  
3 role in maintaining healthy lines for pure bred animals.

4 Therefore, it is not the legislature's intent that this Act  
5 impact these ethical and responsible breeders.

6 The purpose of this Act is to encourage animal adoption and  
7 prohibit pet stores from selling dogs, cats, and rabbits unless  
8 the animal was obtained from certain humane sources.

9 SECTION 2. Chapter 142, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12 **"§142- Sales of dogs, cats, and rabbits in pet stores.**

13 (a) A pet store operator shall not sell a live dog, cat, or  
14 rabbit in a pet store unless the dog, cat, or rabbit was  
15 obtained from:

- 16 (1) An animal control officer;  
17 (2) A duly incorporated humane society;  
18 (3) A duly incorporated society for the prevention of  
19 cruelty to animals; or  
20 (4) A rescue group that is in a cooperative agreement with  
21 at least one of the following:



- 1           (A) A governmental entity; or
- 2           (B) Any person or entity meeting the description
- 3           under paragraph (1), (2), or (3).

4           (b) Each pet store operator shall maintain records  
5 sufficient to document the source of each dog, cat, or rabbit  
6 obtained by the pet store, for at least one year following the  
7 date that the pet store obtained the animal.

8           (c) Each pet store operator shall post, in a conspicuous  
9 location on the cage or enclosure of each dog, cat, or rabbit  
10 offered for sale, a sign displaying the name and address of the  
11 person or entity listed under section (a)(1) through (4) from  
12 which the pet store obtained the dog, cat, or rabbit.

13           (d) A pet store operator that violates this section shall  
14 be subject to a civil penalty of \$500. Each animal offered for  
15 sale in violation of this section shall constitute a separate  
16 violation.

17           (e) Upon request from the department, a pet store operator  
18 engaged in the sale of dogs, cats, or rabbits shall provide the  
19 records maintained under subsection (b).

20           (f) The department may adopt rules pursuant to chapter 91  
21 necessary to carry out the purposes of this section.



1        (g) For purposes of this section:

2        "Pet store operator" means the owner of a place or premise  
3 where birds, mammals, or reptiles are kept for the purpose of  
4 offering the animals for sale.

5        "Rescue group" means an organization that is tax exempt  
6 under section 501(c)(3) of the Internal Revenue Code and that  
7 does not obtain animals from breeders or brokers for  
8 compensation."

9        "Sale" includes wholesale and retail transactions involving  
10 animals; the import or export, or both, of animals; and the  
11 disposition of animals by barter, gift, or exchange."

12        SECTION 3. This Act does not affect rights and duties that  
13 matured, penalties that were incurred, and proceedings that were  
14 begun before its effective date.

15        SECTION 4. New statutory material is underscored.

16        SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 22 2019



**Report Title:**

Pet Store Operator; Dogs; Cats; Rabbits

**Description:**

Prohibits a pet store operator from selling a dog, cat, or rabbit unless the dog, cat, or rabbit was obtained from certain humane sources.

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

