

JAN 24 2019

A BILL FOR AN ACT

RELATING TO ANIMAL FUR PRODUCTS.

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

1 SECTION 1. The legislature finds that historically,
2 animals were hunted and trapped for food, and their pelts were
3 used to provide protective clothing. Over time, technology has
4 developed making fur less of a necessity and more of a luxury
5 item. Fur garments are now typically designed for fashion
6 rather than for warmth. Further, more animals are now killed to
7 make decorative fur trim than to manufacture full fur garments.
8 Due to serious animal welfare concerns, fur farming bans are
9 being enacted worldwide, with more and more countries phasing
10 out fur farming.

11 The legislature further finds that more than one hundred
12 million animals are violently killed for their fur every year.
13 More than eighty-five per cent of pelts in the world's fur trade
14 comes from fur farms. The remaining fifteen per cent of pelts
15 are from animals caught in traps in the wild. Animals that are
16 bred on fur farms commonly include mink, fox, marten,
17 chinchilla, rabbits, and raccoon dogs.



1 The legislature additionally finds that in light of the
2 wide array of faux fur and other alternatives for fashion and
3 apparel, the demand for fur products does not justify the
4 unnecessary killing and cruel treatment of animals. Eliminating
5 the sale of fur products in Hawaii will foster a more humane
6 environment in the State.

7 The legislature also finds that fur farming can be damaging
8 to the environment and contributes to water and air pollution.
9 Fur farming often involves the use of toxic chemicals including
10 chromium and formaldehyde. In addition, fur farming consumes
11 significant quantities of energy and water. The amount of
12 energy required to produce a coat made of real fur from ranch-
13 raised animal skins is over fifteen times that needed to produce
14 a fake fur garment. For each kilogram of factory-farmed mink
15 fur, one hundred ten kilograms of carbon dioxide is produced.

16 The legislature further finds that existing laws require
17 relatively little oversight of the fur farming and fur trade
18 industries. Compliance with guidelines issued by the American
19 Veterinary Medical Association is not mandatory, and fur farms
20 are not monitored by any government agency. Federal laws do,
21 however, prohibit the import or export of dog or cat fur



1 processed state; provided that "fur" does not include such skins
2 or parts thereof that are converted into leather which in
3 processing will have the hair, fleece, or fur fiber completely
4 removed; cowhide with hair attached thereto; or lambskin or
5 sheepskin with fleece attached thereto.

6 "Fur product" means any article of clothing or covering for
7 any part of the body, or any fashion accessory, including but
8 not limited to handbags, shoes, slippers, hats, earmuffs,
9 scarves, shawls, gloves, jewelry, keychains, toys or trinkets,
10 or home accessories and décor, that is made in whole or in part
11 of fur; provided that "fur product" does not include a dog or
12 cat fur product subject to title 19 United States Code section
13 1308.

14 "Non-profit organization" means any entity organized under
15 title 26 United States Code section 501(c)(3) for charitable,
16 religious, philanthropic, educational, or similar purposes.

17 "Used fur product" means a fur product that a person has
18 acquired for the person's own use and subsequently used or worn.

19 **§ -2 Manufacture of animal fur products prohibited;**
20 **exemption.** (a) It shall be unlawful to manufacture fur
21 products in the State.



1 (b) The prohibition in subsection (a) shall not apply to
2 the manufacture of fur products manufactured using fur sourced
3 exclusively from used fur products.

4 **§ -3 Sale of animal fur products prohibited; exemption.**

5 (a) It shall be unlawful to sell, offer for sale, display for
6 sale, trade, give, donate, or otherwise distribute a fur product
7 in the State.

8 (b) The prohibition in subsection (a) shall not apply to
9 the sale, offer for sale, display for sale, trade, gift,
10 donation, or other distribution of:

11 (1) Used fur products by a person not normally in the
12 business of selling fur products, non-profit
13 organization, or second hand store including a pawn
14 shop; or

15 (2) Fur products manufactured using fur sourced
16 exclusively from used fur products.

17 **§ -4 Penalties; administrative fines.** (a) Any person
18 who violates this chapter or any rule adopted pursuant to this
19 chapter shall receive a citation from the director stating the
20 violation.



1 (b) Each individual fur product violating section -1 or
2 -2, on each day that a violation is committed or permitted to
3 continue, shall constitute a separate violation of this chapter.

4 (c) A person who receives a citation from the director
5 shall have twenty-four hours from receipt of the citation, or
6 such greater time as deemed reasonable by the director under the
7 circumstances, to correct or otherwise remedy the violation
8 prior to the imposition of administrative fines.

9 (d) A person who receives a citation from the director and
10 who fails to correct or otherwise remedy the violation shall be
11 fined:

- 12 (1) Not more than \$500 for a first violation;
- 13 (2) Not more than \$750 for a second violation within one
14 year of the date of the first violation; and
- 15 (3) Not more than \$1,000 for each additional violation
16 within one year of the date of a second or subsequent
17 violation.

18 (e) The director may recover any costs and fees, including
19 but not limited to attorney's fees, for specific enforcement
20 actions pursuant to this chapter.



1 § -5 Rules. The director shall adopt rules pursuant to
2 chapter 91 necessary for the purposes of this chapter."

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

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

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

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S.B. NO. 1350

Report Title:

Animal Fur Products; Manufacture and Sale; Prohibition

Description:

Prohibits the manufacture and sale of animal fur products except in certain circumstances.

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