

STAND. COM. REP. NO. 1518

Honolulu, Hawaii

MAR 31 2021

RE: H.B. No. 416
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 416, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SECTION 711-1109, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit:

- (1) Specified trolleys, trolleys with swivels, pulleys, cables, or running lines designed to attach a dog to two stationary objects in a configuration that endangers the dog, including by depriving the dog of sustenance;
- (2) Tethering or restraining a dog under the age of six months unless the dog is engaged in an activity supervised by its owner or an agent of its owner;
- (3) Tethering or restraining a dog with a tow or log chain; and
- (4) Tethering or restraining a dog with a choke collar, pinch collar, or prong collar unless the dog is engaged in an activity supervised by its owner or an agent of its owner.



Your Committee received testimony in support of this measure from the Humane Society of the United States, Hawaiian Humane Society, Healthy Pets United, Animal Rights Hawai'i, Domestic Violence Hurts Animals and People, Pono Advocacy, Animal Interfaith Alliance in Britain, and forty-one individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that tethering a dog in manners that cause injuries; preventing access to food, water, or shelter; or isolating an animal from opportunities to bond with their human families adversely affects the health and safety of dogs and can lead to further aggressive behavior. Your Committee further finds that vagueness in existing law makes it difficult for law enforcement officers to take action before an improperly tethered or restrained dog has suffered serious injury or death. This measure establishes clear guidelines for dog owners and law enforcement officers on what legally constitutes proper tethering.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 416, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 416, H.D. 2, S.D. 2.

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



KARL RHOADS, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

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|--|---------------------|-----------|-----|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| HB416, HD 2, SD 1 | AEN, JDC | 3/25/2021 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | ✓ | | | |
| KEOHOKALOLE, Jarrett (VC) | | | | ✓ |
| ACASIO, Laura | ✓ | | | |
| GABBARD, Mike | ✓ | | | |
| KIM, Donna Mercado | ✓ | | | |
| LEE, Chris | ✓ | | | |
| FEVELLA, Kurt | | | | ✓ |
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| TOTAL | 5 | 0 | 0 | 2 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: <i>Karl Rhoads</i> | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes