

STAND. COM. REP. NO.

1827

Honolulu, Hawaii

APR 09 , 2021

RE: S.B. No. 343

S.D. 1

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 343, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT OF AN ANIMAL,"

begs leave to report as follows:

The purpose of this measure is to establish the offense of sexual assault of an animal in the State.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Association of Animal Welfare Agencies, Hawaiian Humane Society, Healthy Pets United, Pono Advocacy, The Humane Society of the United States, and numerous individuals. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the sexual assault of an animal, or bestiality, is prohibited in forty-six states and that, while Hawaii has strong animal cruelty laws, the sexual molestation of animals by humans is not adequately addressed. Your Committee further finds that establishing the sexual assault of an animal as a separate crime will allow state law enforcement officers to better identify potentially dangerous and violent sexual predators in their communities.

2021-2881 SB343 HD1 HSCR HMSO



Your Committee has amended this measure by:

- (1) Establishing a schedule of penalties for the offense of sexual assault of an animal and clarifying that the penalties are applicable unless otherwise provided by any other law; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the high penalties for the offense of sexual assault of an animal are not just to protect animals, but also intended to be a deterrent against the sexual assault of children because animal abuse is often a precursor to child abuse.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 343, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 343, S.D. 1, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <i>SB 343, SDI</i>	Committee Referral: <i>AGR, JHA</i>	Date: <i>3-30-21</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris				✓
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
TOTAL (12)	<i>11</i>	<i>0</i>	<i>0</i>	<i>1</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size:small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				