

STAND. COM. REP. NO. **3642**

Honolulu, Hawaii

**APR 04 2024**

RE: H.B. No. 1980  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1980, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the separate offense and applicable penalties relating to the fighting of birds in the first and second degrees.

Your Committee received testimony in support of this measure from the Hawaii High Intensity Drug Trafficking Area, Department of Law Enforcement, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Animal Welfare Institute, Humane Society of the United States, Hawaiian Humane Society, Animal Interfaith Alliance in Britain, Hina's Legacy Rescue Foundation, Fur-Angel Foundation, and twenty-seven individuals.

Your Committee received testimony in opposition to this measure from T's Farm Supply LLC, Hawaii Game Breeders Association, a form letter signed by more than one hundred thirty individuals, a form letter signed by more than one thousand two hundred seventy individuals, and more than one hundred seventy-five individuals.



Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that although existing law has separate offenses allowing prosecution of people who attend or wager on dog fighting, no clear equivalent exists for bird fighting, despite its long history in the State. Additionally, other forms of criminal activity, such as illegal gambling and drug trafficking, are often present at bird fights. This measure will reduce criminal activity in local communities by allowing prosecution of those who provide venues, organization, and other material support for bird fighting.

Your Committee has amended this measure by:

- (1) Inserting language increasing the criminal penalty of cruelty to animals by fighting birds in the first degree to a class B felony if the offense involves five or more birds;
- (2) Deleting language that would have made each violation of cruelty to animals by fighting birds in the first degree, including each bird involved in a violation of the offense, a separate offense;
- (3) Inserting language clarifying that multiple violations of cruelty to animals by fighting birds in the first degree which occur on the same day constitute a single offense;
- (4) Deleting language that would have made each violation of cruelty to animals by fighting birds in the second degree, including each bird and each device used in the violation, a separate offense;
- (5) Inserting language clarifying that multiple violations of cruelty to animals by fighting birds in the second degree which occur on the same day constitute a single offense;
- (6) Inserting an effective date of April 14, 2112, to encourage further discussion; and



- (7) 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. 1980, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1980, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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



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KARL RHOADS, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>HB 1980 HD1</b>	Committee Referral: <b>JDC</b>	Date: <b>03   14   24</b>
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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
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Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.		✓		
AWA, Brenton			✓	
<b>TOTAL</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>—</b>

Recommendation:  Adopted  Not Adopted

Chair's or Designee's Signature:  


Distribution:      Original                      Yellow                      Pink                      Goldenrod  
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**\*Only one measure per Record of Votes**