

**SB-2120-SD-1**

Submitted on: 2/23/2024 6:59:03 AM

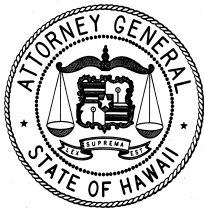
Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marian Hussenbux	Testifying for Animal Interfaith Alliance in Britain	Support	Written Testimony Only

Comments:

**SB2120 Relating to Pet Sales**, was written to provide transparency to consumers and law enforcement about where stores are acquiring the animals they sell.

The enforcement provisions were removed at the last hearing, and we strongly support amending the bill to include the accountability sought by the original measure.



**WRITTEN TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2024**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2120, S.D. 1, RELATING TO PET SALES.

**BEFORE THE:**

SENATE COMMITTEE ON JUDICIARY

**DATE:** Wednesday, February 28, 2024      **TIME:** 10:00 a.m.

**LOCATION:** State Capitol, Room 016 and Videoconference

**TESTIFIER(S):**      **WRITTEN TESTIMONY ONLY.**

(For more information, contact Kelcie K. Nagata,  
Deputy Attorney General, at 808-586-1180)

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Chair Rhoads and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purpose of this bill is to regulate pet animals sold in pet stores. The bill requires stores to: (1) maintain records regarding the source and medical history of the animals sold, and (2) require the breeder or broker to verify their identity by presenting certain documentation. The bill allows pet stores to provide records to prospective pet purchasers, but does not require it.

The new section added to chapter 143 by section 2 appears to provide that a person who violates this section shall be subject to a violation, for which a civil penalty of not less than \$1,000, and a ban on selling pet animals for not less than one year, must be imposed in subsection (d) beginning on page 4, line 12. To clarify that this section shall be enforced by county prosecutors and to provide the maximum penalties to be imposed, we recommend that the first sentence of subsection (d) beginning on page 4, line 12, be amended to read as follows (shown in Ramseyer as compared to the bill):

(d) Any person who violates this section shall be subject to a violation and shall be assessed a civil penalty of not less than \$1,000 and not more than \$\_\_\_\_\_ and shall be prohibited from selling pet animals for a period of [at least] not less than one year[-] and not more than \_\_\_\_\_ years. . . .

Thank you for the opportunity to offer comments.



**Hawaiian Humane Society**  
People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826  
808.356.2200 • [HawaiianHumane.org](http://HawaiianHumane.org)

Date: Feb. 26, 2024

To: Chair Sen. Karl Rhoads  
Vice Chair Sen. Mike Gabbard  
and Members of the Committee on Judiciary

Submitted By: Stephanie Kendrick, Director of Community Engagement  
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support with amendments of SB 2120, SD1:  
Relating to Pet Sales  
Wednesday, Feb. 28, 2024, 10:00 a.m., Room 016 & Videoconference

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On behalf of the Hawaiian Humane Society, thank you for considering our support, with amendments, for Senate Bill 2120, SD1, which requires retail pet stores to maintain records regarding the source and medical history of animals sold and provide records to pet purchasers, subject to the discretion of the retail pet store; establishes penalties; and authorizes retail pet stores to showcase pet animals owned by a nonprofit animal welfare organization.

Pet breeding is completely unregulated in Hawaii. While responsible breeders invite potential pet owners to visit their homes and see the conditions in which animals are bred and raised, there is no such transparency from most people who sell pets in our state. There is also no ability for law enforcement to examine breeding establishments and verify the welfare of animals without a search warrant.

To address that serious gap in information about pet breeding – for the protection of consumers and animals – this bill was intended to require stores that sell pet animals to keep records of where those animals are acquired and any pertinent health information, and to provide those records to the purchaser of individual animals as well as law enforcement.

Two important provisions relating to that accountability were removed in the current SD1 and we request the Judiciary make the amendments reflected in the attached draft.

While the pet stores opposing this measure claim they need to sell pets to stay in business – which this bill allows them to continue to do – we would also note that none of the local small businesses that have opened in recent years to serve pet owners sell animals. They are either pet product suppliers exclusively, or they sell pet supplies and partner with nonprofits to adopt animals into homes.

But for those stores that do still sell pets for profit, this measure does NOT prevent that, nor does it limit their choice of suppliers. If the committee makes the attached amendments, what it will do is require existing stores to disclose information about where the pets they sell are obtained and anything they know about their health. If the breeders they are buying from are providing safe and healthy care, they should have no reason to object to these rules.

With the proposed amendments, this measure would protect prospective pet owners and provide law enforcement with a baseline level of transparency on who is breeding animals for profit. We urge the committee to pass SB 2120 with the suggested amendments to protect people and animals.

Mahalo for your consideration.

THE SENATE  
THIRTY-SECOND LEGISLATURE, 2024

**S.B. NO.** 2120  
S.D. 2  
Proposed

STATE OF HAWAII

# A BILL FOR AN ACT

RELATING TO PET SALES.

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

SECTION 1. The legislature finds that despite the high popularity of pets in the State, there are no regulations of retail pet businesses, placing consumers at risk of purchasing sick pets, including pets that may carry diseases that are transmissible to people and other pets. The lack of regulation makes the State an outlier compared to the rest of the country, as thirty-three states license commercial pet breeders, thirty-one states set minimum standards of care for breeders, and thirty states regulate the sale of puppies by pet stores.

In some instances, pet animals sold in pet stores are obtained from large-scale commercial breeders, also known as puppy mills, that do not provide sanitary or humane living conditions for their animals. Presently, puppy mills are not regulated in the State, exposing animals to the risk of being raised in dangerous conditions. Some puppy mills are hidden from public view, leaving many prospective owners unaware of the animals' living conditions, and there are no existing laws that require regular inspections of puppy

mills. Additionally, some animals enter the State from countries exempt from quarantine restrictions, preventing any oversight.

The legislature further finds that there are responsible and ethical breeders who sell their animals directly to the public. Some breeders offer a transparent process to prospective pet owners, who are invited to visit and observe where and how the animals are bred and raised. Creating a transparent process not only ensures appropriate care and safety of pet animals, but also creates consumer protections for prospective owners.

Accordingly, the purpose of this Act is to:

- (1) Require retail stores that sell pet animals to:
  - (A) Maintain records regarding the source and medical history of animals sold; and
  - (B) Provide records to pet purchasers, subject to the discretion of the retail pet store;
- (2) Impose penalties for violations; and
- (3) Authorize retail pet stores to showcase pet animals owned by a nonprofit animal welfare organization.

SECTION 2. Chapter 143, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**"§143- Retail sales of pet animals; documentation.** (a) A retail pet store shall maintain records sufficient to document the source and medical history of each pet animal obtained by the store

for at least three years following the date the store obtained the pet animal. This documentation shall contain:

(1) The name and business or residence address of the breeder or broker, or both;

(2) A description of the pet animal, including species, age, gender, coat type, color, and breed or breeds, if known;

(3) A copy of records containing information regarding the pet animal's microchip, vaccinations, medical diagnoses, medications, or surgical treatments, or medications administered to the pet animal before transfer or sale to the retail pet store and while owned by the pet store; and

(4) One or more separate photographs of each pet animal obtained or purchased by the retail pet store.

(b) The retail pet store shall require the breeder or broker, or both, to verify their identity by presenting:

(1) A general excise tax license or business license and certificate of good standing issued by the department of commerce and consumer affairs; and

(2) A valid photo identification card issued by a federal or state government agency authorized to issue valid identification.

(c) The retail pet store shall retain physical copies of the following documentation at its place of business:

(1) A copy of the department of agriculture shipment records and shipping invoice for pet animals purchased from a foreign breeder or broker; and

(2) A copy of the business license or general excise tax license and photo identification card of the breeder or broker, or both, as specified in subsection (b).

~~(c) A retail pet store may provide the records required by subsection (a) pertinent to the respective pet animal to the purchaser of that pet animal before any sale is finalized.~~

(d) A retail pet store engaged in the sale of pet animals shall provide the records required by subsection (a) pertinent to the respective pet animal to the purchaser of that pet animal before any sale is finalized.

(e) A retail pet store shall, upon request, provide the records maintained under subsections (a) and (b) to county law enforcement or the animal control services agency or contractor for the county in which the retail pet store is located. All retail pet stores shall submit records annually to the county's animal control services agency or contractor in which the retail pet store is located by July 1 of each year.

(d) Any person who violates this section shall be subject to a civil penalty of not less than \$1,000 and shall be prohibited from selling pet animals for a period of at least one year.

(e) Nothing in this section shall prohibit a retail pet store from showcasing dogs or cats owned by a nonprofit animal welfare organization.

(f) For the purposes of this section:

"Breeder" means a person who breeds pet animals.

"Broker" means a person who resells pet animals from breeders to retail pet stores.



"Pet animal" has the same meaning as defined in section 711-1100.

"Retail pet store" means a commercial establishment that engages in a for-profit business of selling at retail pet animals to the public."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 20~~25~~<sup>40</sup>.

**SB-2120-SD-1**

Submitted on: 2/26/2024 10:32:13 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Inga Gibson	Testifying for Animal Welfare Institute	Support	Written Testimony Only

Comments:

RE: SB2120 SD1 Relating to Pet Sales, SUPPORT

Dear Chair Rhoads and Judiciary Committee Members,

The Animal Welfare Institute supports SB2120 with the necessary amendments proposed by the Hawaiian Humane Society.

Hawaii has no laws that regulate pet stores or breeders. This bill is a modest but important measure to protect both animals and consumers who may unknowingly purchase sick animals, or animals who are raised in poor conditions, such as those seen in "puppy mills."

Any reputable pet store is already collecting and keeping the records that the bill requires, it simply requires that these records be shared with local animal care and control agencies should an investigation be warranted, and that consumers be aware of the origin and health history of the animals they are purchasing. Further, no reputable breeder would EVER sell their animals via a pet store but instead would meet the new pet owner in person and allow them to see the conditions the animal was raised in.

Thank you for consideration and we respectfully urge your support of this bill.

Inga Gibson

On behalf of the Animal Welfare Institute

We would like the opportunity to voice our concerns regarding bill S.B. 2120 S.D.1. We appreciate many of the amendments made from the first version of this bill. However, we still have some additional concerns regarding this bill.

First of all, Koolau Pets has no problems with maintaining records sufficient to document the source and medical history of its animals. We currently maintain most of these records already. Our major complaint with the current bill is that it would still require “one or more photographs of each pet animal obtained or purchased by the retail pet store.” We feel this is an outrageous amount of paperwork to provide for every pet animal. We currently and often have more than 50 parakeets at a time. This seems like an enormous undertaking of paperwork for many small pet stores like ourselves. We also do not understand what doing photographs would help provide. Many parakeets and other animals look identical to one another. This is especially difficult considering how much the look of many animals change as they develop.

Secondly, the bill asks the pet store to require the breeder, broker, or both to verify their identity by presenting a general excise tax license or business license in addition to a valid photo identification card. We feel asking every single person who brings us any pet animal to get a general excise tax license or business license is going to be such a big deterrent. Many of our customers don't know the first thing about how to go about getting a business license or general excise tax license. Also, for many pets like guinea pigs, rabbits, mice, and turtles its going to give an additional financial burden to these people and will limit our access to these types of animals. This would really hurt our business.

We also find the penalty of not being able to sell pet animals for one year is harsh. We feel that there could be a simple clerical or mistake made out of human error. This seems like an unusually high punishment for a simple mistake. We are worried because many of our employees are young and inexperienced. We would like this portion of the penalty removed.

These are our main concerns with the current version of this bill. We thank you for hearing our concerns and hope you consider them in your upcoming decision. We also wanted to thank you for the later date of 2040. This allows us time if this bill was adopted into law we have time to change current protocols and get the supplies to support the new requirements.

**SB-2120-SD-1**

Submitted on: 2/20/2024 1:55:33 PM

Testimony for JDC on 2/28/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cecily Williams	Individual	Oppose	Written Testimony Only

Comments:

Testimony AGAINST SB2120

Back in February 2023, I rescued a dog, a pit-bull mix, from the Hawaiian Humane Society. From the start, she seemed to be a calm dog and very well-mannered, and I was so happy that I saved her. She provided me companionship while my husband was working on the island of Maui.

Immediately I started to train her myself, but it seemed that she was somewhat trained maybe by her previous owner. Everything was going well, until September 17th, when my son came over and left the garage door open for just a moment. My rescued dog ran out of my house and through the opened garage door; and bit a lady who was passing by my house, on the sidewalk, at that same moment. From this one incident, I didn't realize how this dog bite would impact my life.

I helped the lady; she came into my house so that I could treat her injury. I called the police, who in turn called the ambulance because she wanted to get checked out by a doctor. She had a few small cuts on her knee from the bite and I could see that she was shaken up from this ordeal. I felt empathetic for her.

After she was taken by ambulance, I was served with a citation for my dog biting the lady; and a month later I was at the Wahiawa Civil Court to pay a fine, at least that's what the police officer said, "You'll just have to go to court to pay a fine." However, I couldn't believe my ears that I was served by the State of Hawaii for a DANGEROUS DOG ATTACK. CRAZY that this is the same rescued dog that the Hawaiian Humane Society deemed safe to go home with me!!

Since the initial court appearance, I've had two more court appearances and I still have two more upcoming dates. I will have to pay a fine plus restitution when this is all done. All this for a rescued "pit-bull mix", that I have no idea about her background and who previously owned her to make her attack someone out of the blue.

Right after the bite incident, I reached out to a dog trainer to train my dog. She underwent a two-week extensive course of hands-on training at the dog trainer's house, for a pretty price of \$2600. Today, she is trained and very well-behaved and I trust her now. She is a loved member of my family.

But I wouldn't wish this on anyone. DON'T RESCUE A DOG! You're getting someone else's problem. If I could do it again, the answer would be to buy a puppy at the store and raise it to be a really good dog. That's how it was for all my previous dogs, just this one. I can't go backward now, all I can do is go forward and face my next two court dates; and hope that the consequences of rescuing a dog from the Hawaiian Humane Society will be okay. I'll never do this again!!!

**SB-2120-SD-1**

Submitted on: 2/20/2024 7:39:08 PM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Kidd	Individual	Support	Written Testimony Only

Comments:

I support this measure

**SB-2120-SD-1**

Submitted on: 2/22/2024 5:22:11 PM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Natalie Graham-Wood	Individual	Support	Written Testimony Only

Comments:

I am in support of amending SB2120 to include the accountability sought by the original measure. I live at Sunset Beach,Oahu.

**SB-2120-SD-1**

Submitted on: 2/23/2024 5:01:53 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bonnie Gollero	Individual	Support	Written Testimony Only

Comments:

Mahalo nui loa for furthering this much needed bill along to protect Hawaii's consumers. I am in support to reinstate the law enforcement provision stated in the original measure which is vital to ensure accountability.



**SB-2120-SD-1**

Submitted on: 2/23/2024 9:13:12 PM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stephanie McLaughlin	Individual	Support	Written Testimony Only

Comments:

Please support this important bill which will help stop people from backyard breeders who only care about making money and not about breeding a healthy puppy.

**SB-2120-SD-1**

Submitted on: 2/24/2024 7:37:47 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Melanie Kim	Individual	Support	Written Testimony Only

Comments:

Please pass this bill. Too often, animal breeders try to sell animals to pet stores that have medical issues that only become apparent when someone purchases and realizes this at a later time. Often, they cannot afford the medical care of these animals leading to abandonment to rescue agencies and to the environment, compounding the already challenging problem of finding homes for Hawaii's animals. This bill will support transparency to consumers and law enforcement regarding sources of pet stores purchasing their animals so that consumers know that the animals they are purchasing are healthy and come from reputable sources.

**SB-2120-SD-1**

Submitted on: 2/24/2024 12:31:51 PM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carole R. Richelieu	Individual	Support	Written Testimony Only

Comments:

in support of amending the bill to include the accountability sought by the original measure. It was written to provide transparency to consumers and law enforcement about where stores are acquiring the animals they sell.

Hawaii Kai

**SB-2120-SD-1**

Submitted on: 2/25/2024 4:24:00 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Chiwa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Senator Rhoads, Vice Chair Senator Gabbard and Members of the Committee on Judiciary.

Please support SB 2120 SD 1 which, to my understanding, was written to provide consumers and law enforcement with information about where stores are acquiring animals they sell.

It's also my understanding that the Hawaiian Humane Society will be asking for an amendment to reinstate the enforcement provisions that were removed in a previous hearing. Please support this request and efforts to retain the accountability that was sought in the original bill.

Again, please support SB 2120 SD 1 with the amendment to be requested by the Hawaiian Humane Society.

Mahalo.

Jennifer Chiwa

Makiki

**SB-2120-SD-1**

Submitted on: 2/25/2024 11:45:42 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sandie Wong	Individual	Support	Written Testimony Only

Comments:

I strongly support SB2120, SD1 and ask that you pass it out.

**SB-2120-SD-1**

Submitted on: 2/25/2024 3:34:10 PM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Support	Written Testimony Only

Comments:

This measure would protect consumers and provide law enforcement with a baseline level of transparency on who is breeding animals for profit.

The enforcement provisions were removed at the last hearing. They are importnt. Without them there are no teeth. Please reinstate the enforcement provisions that were in the original bill.

This measure does NOT prevent stores from selling pets. It simply requires them to disclose information about where the pets they sell are obtained and anything they know about their health. If the breeders they are buying from are providing safe and healthy care, they should have no reason to object to these rules.

Please move this bill forward.

**SB-2120-SD-1**

Submitted on: 2/26/2024 10:25:23 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jane E Arnold	Individual	Support	Written Testimony Only

Comments:

Please support SB2120, with amendments proposed by the Hawaiian Humane Society. Thank you.

Jane E Arnold

1763 Iwi Way, Apt D

Honolulu HI 96816

**SB-2120-SD-1**

Submitted on: 2/26/2024 11:19:52 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Taurie Kinoshita	Individual	Support	Written Testimony Only

Comments:

To the Honorable Committee,

I am writing in strong support of SB2120 SD1.

There needs to be transparency for consumers about where stores are acquiring the animals they sell. Please amend the bill to include accountability.

Abandoned animals, animals bred--not sold--then killed: so much harm happens through stores acquiring pets from disreputable, unethical locations...

Please amend and pass this important bill.

Thank you for your consideration.

Sincerely,

Taurie Kinoshita



Date: Feb. 26, 2024

To: Chair Sen. Karl Rhoads  
Vice Chair Sen. Mike Gabbard  
and Members of the Committee on Judiciary

Submitted By: Harold Han, Senior Manager of Field Operations & Response  
Hawaiian Humane Society, 808-356-2211  
Honolulu Police Department, Special Police, Badge #2706

RE: Testimony in support with amendments of SB 2120, SD1:  
Relating to Pet Sales  
Wednesday, Feb. 28, 2024, 10:00 a.m., Room 016 & Videoconference

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Aloha Chair Rhoads, Vice Chair Gabbard and Committee Members,

Thank you for considering my support, with amendments, for Senate Bill 2120, SD1, which requires retail pet stores to maintain records regarding the source and medical history of animals sold and provide records to pet purchasers, subject to the discretion of the retail pet store; establishes penalties; and authorizes retail pet stores to showcase pet animals owned by a nonprofit animal welfare organization.

I have managed the field services team at the Hawaiian Humane Society for more than eight years. Prior to working in animal welfare, I was an officer with the Honolulu Police Department for 15 years. I have seen firsthand the cruelty and neglect that can result from the lack of regulation of pet breeders in our state.

As originally written, this bill would make a modest advance in transparency that would provide animal law enforcement with important insight into who is breeding pets in Hawai'i and in what numbers.

I know Koolau Pets opposes this bill, but it is not meant to harm their business. Koolau has been cooperative when I have reached out with concerns about animal breeders. Unfortunately, they are unique in that cooperation. Two investigations in recent years hit a dead end because pet stores are not required to keep records of where they acquire the animals they sell or to share those records with law enforcement.

Dog owners living in homeless encampments under the Nimitz viaduct were refusing our offers to spay/neuter their animals at no charge because a pet store was buying puppies

from them. When confronted about the conditions under which these animals were being bred, the pet store refused to acknowledge their source.

Buyer complaints about sick French Bulldog puppies sold through a different pet store met a brick wall as the store refused to share information about the breeder.

This bill does not dictate where pet stores can source animals, it simply requires them to keep records of their sources and to share those records with consumers and law enforcement. This will allow consumers to make more informed choices and it will allow law enforcement to prevent cruelty.

Animals cannot be treated like any other retail product. We have a responsibility to ensure their humane treatment and this measure is a step in the right direction.

We urge you to pass SB 2120, SD1, with the amendments recommended by the Hawaiian Humane Society. Mahalo for your consideration.

I would like to ask that you take careful consideration of Bill SB 2120 SD1 and hope you vote against its passing. My name is Victoria Furtado and I have worked at Koolau Pets for almost 18 years. Koolau Pets is a small business and we rely on our Representatives to help speak out on our behalf.

We do not support puppy mills and are saddened at the fact that many of these organizations seem to be brainwashing the public into thinking that ALL pet stores get their puppies from puppy mills. I and all my coworkers are animal lovers first, and that is why we got into the pet industry. I even know many employees at other local pet stores and know they feel the same way.

Please know that I am in support of some type of bill that would eradicate puppy mills, but feel that this bill doesn't at all. It penalizes a legitimate business and blames pet stores for crimes they never committed.

This bill began with puppies in mind but expands to all pet animals. First, requiring people to get a business license to sell pet stores mice, rabbits, guinea pigs, chinchillas, turtles, and other small animals is going to drive them away from selling to us. The reality is these "breeders", get very little payment for these types of animals and getting a business license is not going to be financially worthwhile. For example, we only pay \$1 per mouse, \$15 per guinea pig... this doesn't even cover for a small bag of the feed. These "breeders" are not breeding for money. They just happen to have pets that bred.

Bill S.B.2120 SD1 does not stop puppies from being housed and/or sold from puppy mills. In fact, we feel it encourages this type of operation to continue. It's going to commercialize breeding to pet stores. The only people that will be able to bring puppies to a pet store are those that get the business license. The only people that would want to get licenses are the type of people that are doing large scale breeding.

Also, even if a person sold more than a couple litters of ANY type of animal, what does that prove? How does that in any way prove that an animal was kept in unsanitary or inhumane living conditions? How would that allow for inspections of these "facilities"? I just don't see where this bill helps any animals. I only see it as hindering pet stores. This bill only hurts those of us that love our animals and have legitimate jobs.

I have concerns regarding the bill requirement to take photos of every animal that the store purchases. This would require us to get additional supplies to take photos and file them accordingly. WHY are we supposed to have on file pictures of 50 different parakeets (many of which look identical)? What is the use of it? Many animals change so much in a short period of time, what is the picture for? We have our records currently based on breed and date of birth

and already have a system in place for our puppies that allow us to know of a specific one if it is ever in question.

Next regarding the penalties. What if there was ever a mistake in documentation? I have never had to photograph animals before, what if we missed one? You're telling me that we couldn't sell animals for a whole year just because of a simple mistake? What would happen to the animals already in the store? ...They just have to sit there in the cages for one year? This seems a bit over the top.

I oppose Bill SB 2120 S.D.1

My name is Napua Furtado. I am 86 years old and  $\frac{3}{4}$  Hawaiian/Chinese. My husband is 87 years old and 100% Portuguese. We have been married for 66 years. We are the proud parents of 5 sons. We also have 10 grandchildren, 19 great grandchildren, and 8 great-great grandchildren. We are a 5-generation family living in Hawaii.

We started Koolau Pets in March of 1974 on Kame Hwy. across Mui Kwai Chop Suey. We moved to Windward City in 1978 and then to Windward Mall in 1982. We have been in business for almost 50 years. Like many small businesses in Hawaii, we've had our share of ups and downs. We have operated our business following all laws and regulations. We keep records of our business "tax records regarding the purchases of all pet supplies and livestock" for 10 years which we believe is what the state requires.

This bill claims that pet shops are not regulated there for we are selling sick pets. It claims we are putting our consumers at risk from these pets carrying diseases. For your information, each puppy we acquire is taken to Haiku Veterinary Clinic. Koolau Pets has taken its puppies to Haiku Veterinary Clinic for over 30 years. Each puppy is given a complete check-up, dewormer (if needed), and its first set of vaccinations. A health certificate is completed by Haiku Veterinary Clinic showing what the puppy received and all findings from the general health examination. After purchase, the customer receives all documents and a 2<sup>nd</sup> visit (free of cost) at which the puppy receives another health check. If the puppy is due for any other vaccinations at this time these are updated free of cost to the consumer.

Koolau Pets has chosen to depend on our customers who have a litter once in a while. We do not buy our puppies from any large-scale breeders or puppy mills. They probably sell their pets online or in parking lots where there are no regulations or requirements.

As far as being transparent, we are open to the public 7 days a week. We have loyal customers and even people who may not like pet shops able to walk through our door to check us out. The Hawaiian Humane Society and any other organization has not been able to charge us with ANYTHING. Pet stores and their employees love animals and care about their well-being.

It's obvious that this bill is intended to put a few (3) locally-owned pet shops out of business. We have been in business for almost 50 years, have paid our taxes, have not broken any regulations or laws, have employed hundreds of high-school and college students and other part-time workers. This bill is trying to damage our good reputation.

What it comes down to is this: Animal activists and the Hawaiian Humane Society continues to use whatever means or whomever they can get to listen to why they should have total control over the pet population. The consumer should have a choice if they don't want to adopt a pet. These "humane organizations" have little to NO history on these animals. This can be worrisome to a family or potential pet owner especially in regards to temperament. No one knows how these pets were treated and the emotional and physical trauma they may have. This is why consumers come to a pet shop where they can get a young pet with no preexisting bad training or already learned unwanted behaviors. The pets in pet store are healthy. We are knowledgeable in the care of these pets we sell. We provide this information to our customers and recommend they continue to do more research in proper care and training.

You represent the people who voted for you to this office. Take care of them and oppose this bill.  
Aloha, Napua Furtado.

Additional notes: If this bill is going to pass, I ask that you include in your amendments a later date to take effect. The companion bill HB 1682 had a hearing on Wednesday, February 21, 2024 and they amended the bill to begin in year 3000 to allow more time for these changes.

Mahalo for reading my testimony.

**SB-2120-SD-1**

Submitted on: 2/26/2024 2:34:33 PM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

Mahalo for allowing me to share my support for SB2120 by Senator Keohokalole. It is very important that we be sure that the animals that appear for sale in pet stores are healthy and are not the product of irresponsible breeders. Maintaining records of the origin of and the pet health records concerning each animal is a good beginning. This bill does not interfere with pet stores holding adoption events for nonprofit animal rescue groups, which are an important resource for finding homes for dogs and cats.

Please restore the enforcement provision to the bill. I believe that the Humane Society will have an amendment to do that.

Renee Rabb

Hawaiian Paradise Park

Keaau, HI 96749

My name is Melvin Furtado and I oppose bill SB 2120 SD1.

I opened Koolau Pets in March of 1974. It started as a dream and my family helped that dream grow into a reality. It started as just a family-owned and operated store, but now it employs many people in our community. I am now retired, and my son and nephew have continued to grow my dream. However, let me give some insight as a business owner. The overall economy and the role of the government has a massive impact upon whether a small business can thrive. For the majority of small businesses, what the government does and the policies that follow determine whether or not they last.

I want you to really consider what this bill would do to these small businesses and the members of our community. This bill makes this business exponentially more difficult to run.

This bill states that pet stores put their consumers at risk for purchasing sick pets. This is purely false. Why would they want to put their customers at risk? Koolau Pets is a small business in Hawaii and the reality is we would not survive if this was fact.

My next complaint is with the wording of the bill stating that if we do not adopt this bill our state would be considered an outlier. This is a mis-leading fact. There are only 7 states that fully regulate the sale of puppies in pet stores. The rest of the states mentioned only have counties.

The truth is Hawaii is different in many ways. How pet stores and small businesses in Hawaii operate is not like the rest of the country. We need repeat customers and cannot rely on internet sales. We only have our reputation to keep us alive. We cannot compete with these large chain businesses with prices or the availability in the quantity/variety of merchandise. What sets us apart are the pets.

This bill would force the industry to create commercial breeders. This bill will do the opposite of what it is claims to want. We feel that people that bring us puppies would not want to get a business license because it isn't a business. Why would they want to go through the paperwork and cost to get a license? It doesn't make sense. Keeping pets in Hawaii is already so expensive.

The record keeping in this bill is ridiculous and costly requiring pictures of every animal that we sell. Animals change so much in appearance from young to adult there would be no way of telling if that was the same pet in question. It's just in this bill to make things difficult.

I hope you can see this bill for what it is... an attack on local pet stores. Help stop bill SB 2120 SD1.



## **I oppose bill SB 2120 SD 1.**

I (Matthew Furtado) own the pet store in Windward Mall called Koolau Pets. We carry pets and their supplies. Koolau Pets was started in 1974 by my parents (Mel and Napua Furtado). In 2014, when my parents retired, my cousin (Robert Lawrence) and I bought the business. Both of us have worked here most of our adult lives and are proud of the business. We believe Koolau Pets has been successful because it has been run the right and responsible way.

I feel sad to think that this would be my last year in business (due to the bill.) Already many local businesses closed and many people lost their jobs (due to the pandemic). I am hoping that we don't become another statistic.

Many of our customers have been coming to the store for years. I have watched generations of these people grow up and purchase their pets from Koolau Pets. Many of these customers I feel are part of my family at this point -The Koolau Pets family.

The bill says puppies in pet stores come from irresponsible pet breeders and/or puppy mills. I consider this statement slander. The puppies Koolau Pets carry come from loving homes and families. I believe in the customers that we have purchased these puppies from so much that I have sold many of my own family members pets from the store. We trust them enough to even have purchased these dogs for our own household.

Many of the people who have bred these puppies don't consider these dogs just pets, but family members. Many show us photos of their dogs sleeping in their bed, or dressed up, or at our local beaches and parks, etc. These people wanting to ban pet shops from selling puppies don't know me or my business. I take pride in my store, and I invite you to come and see for yourself what Koolau Pets is all about. Koolau Pets is an extension of me and my family.

**This bill does not overtly say that they are banning us from selling puppies, but in the end that's what would happen.** The people who bring us puppies are not going to go out of their way to get a general excise tax license or business license. They don't consider themselves breeders. They are not even looking out for these types of bills. So, in end, when they come to the store with a couple puppies, bunnies, guinea pigs or rabbits I'm going to have to turn them away because they don't have a general excise tax license or business license. The people who we get puppies from come from all types of backgrounds and knowledge. Many wouldn't know the first thing about trying to get a business license (and probably won't want to take the time to learn) just to bring the pet store an occasional litter of pets.

The only type of person who would be interested in getting a general excise tax license or business license for pets are the very people this bill says it is trying to discourage. It's encouraging large scale breeders, not my passionate loving households.

Koolau Pets already retains the information of the breeder's name, address, and description of the animals. We also provide any and all medical records to the new owner. **In section d of this bill, it wants us to provide the personal information of the breeder to any prospective purchaser, what stops this customer from cutting the pet store out of the sale completely? They would be free to make contact with the breeder and the pet store loses out on any of the profit from the sale.**

This bill says 33 states regulate the sale of puppies in pet stores. California was the first state in 2017, and a handful of states followed (7). Most of the “thirty-three states” that regulate puppy sales is not the full state but counties. These counties do not even make up half the state. This does not make Hawaii an “outlier”. But regardless, these states still have huge numbers of animals in shelters and rescues and these numbers are not decreasing. This is because pet stores are only one small option people have in getting pets.

These “humane organizations” are quick to bring up the bills they are doing in other states but where is the proof it does any good?

**In conclusion, I oppose bill SB2120 SD1 because this bill unfairly punishes/targets pet stores.**

**SB-2120-SD-1**

Submitted on: 2/27/2024 10:54:33 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lea Hollingsworth-Ramsey	Individual	Oppose	Written Testimony Only

Comments:

**I am writing in strong opposition to SB2120.** I believe the bill will have negative consequences affecting all responsible breeders, retailers, and consumers.

Firstly, this bill **targets all the small independent pet store owners in the state.** It does not affect large corporate stores because Petco and PetSmart do not sell puppies. Having the ability to sell pets that the large corporate stores do not sell is what keeps our independent pet stores afloat. It means keeping their business open, maintaining their home, putting food on the table, clothes on their back, and providing jobs for many young people in the community. **On Oahu, there are 3 independent pet stores that sell puppies.** On the outer islands, the numbers are even fewer. Is it necessary to propose a law that will penalize the few local pet stores that remain in business in the islands?"

**Secondly, the imposition of onerous and stringent record keeping that carries a monetary fine if not maintained, AND completely removes the ability to continue ANY pet sales on the first offense reveals the underlying intent of the bill: which is to drive local pet stores out of business.** We're talking about what would amount to clerical error. Removal of the retail stores' ability to pursue a successful business model should be the last resort and only if there has been a flagrant disregard for record keeping. What happens to the animals that are in the store when that happens? Are they expected to sit in the store for a year? Has anyone thought this through?

What is the purpose of all this record-keeping except to make operations exceedingly difficult for the store owners? **Are the stores really expected to photograph every mouse, rat, rabbit, chinchilla, parakeet, finch, etc that comes into the store and maintain those records for 3 years?** 6 months to 1 year later, the animals will not look the same. Why maintain records on a stage of life that is fleeting? Puppies grow into dogs and their face, color, size all change as they reach adulthood. The same for any animal. Even birds: their color patterns and markings change as they reach adulthood. Once the animal is sold and is past the return window, the store should be able to purge those photos. The animals have a home, the buyer has decided to keep the animal.

Thirdly this bill is laden with Humane Society's misleading statements to make it seem like Hawaii is an outlier by not passing this legislation. **ONLY 7** out of 50 states, plus DC means a mere 13% have passed similar legislation. Humane Society also throws out the fact that 30 towns have passed their bills. However, in 2018 there were 19,495 incorporated cities, towns and

villages in the United States. 30 out of more than 19 THOUSAND other cities and towns. We're talking not even 1% of US cities, towns and villages have passed similar legislation. Please bear that in mind, passing this legislation will move our State into the minority of states passing such restrictive laws. **One must also consider that states are enacting preemptive legislation that would protect retail pet stores from pet sale bans. Texas (House Bill 2127), Arkansas (House Bill 1591), and Florida (House Bill 170) have passed preemptive legislation, and another 3 States (Indiana, Missouri, and Kansas) have considered similar preemptive measures.**

Requiring folks to get a GE tax license and jump through a bunch of hoops for a one-off event will generate an unnecessary amount of bureaucratic paperwork. A litter of baby mice generates less money for the breeder than the cost of a GE TAX license. **If a person must present a GE TAX license to the pet store, set a reasonable threshold (\$5000 or \$10000) for the transactions each year. A person who breeds the animal and sells it to a pet store is going to fall under the wholesale producing category, which is ½ of 1% (.005). At that rate a \$1000 dollar sale will generate \$5 in GE Tax revenue for the state.** Realistically, you want to charge someone \$20 for a GE Tax license, for a \$20 transaction that would only generate 10 cents in GE TAX revenue for the state? It's ridiculous. Processing the paperwork costs the state more than it will receive.

Our people like going into a pet store to purchase their family pet. It's a well-lighted brick and mortar establishment. They can walk in without fear of being mugged or robbed. They can pay with their credit card. If there are any issues, they can return to the store and seek a refund. They don't have those consumer protections when purchasing an animal from someone in a parking lot, or off craigslist. There are certain animals that fetch prices in the thousands of dollars. Breeders don't want the risk associated with having strangers in their home. It poses a security risk for their homes, their adult animals, and of course, now we have COVID concerns. A pet store provides those owners with the safe option to sell their animals.

**I urge you to OPPOSE SB2120. This bill is bad for our local businesses. It would remove a safe and legitimate source for families to purchase their pets. It is an unnecessary overstep of governmental authority that will make life hard on small business owners in our community.**

Lea Hollingsworth-Ramsey

**SB-2120-SD-1**

Submitted on: 2/27/2024 11:28:38 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bruce Ramsey	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express our collective opposition to Senate Bill 2120, legislation that poses significant threats not only to small pet businesses and responsible breeders but also to consumer choice and the overall welfare of pets within our community. Our concerns stem from several aspects of the bill that will have unintended, negative consequences across the state.

SB2120 unfairly targets small, independent pet stores by imposing rigorous and, in some cases, unfeasible requirements for record-keeping and reporting on the source and medical history of pets. These measures are particularly burdensome for small businesses that operate with limited resources and may not have the capacity to adhere to such stringent regulations without incurring prohibitive costs. The closure of these businesses would not only deprive local communities of valuable services but also eliminate essential jobs and livelihoods for many. It's critical to recognize that large corporate stores, which do not sell puppies or certain other pets, are unaffected by this bill, further disadvantaging small businesses that fill a unique niche in the market.

The bill's stringent record-keeping requirements, coupled with severe penalties for non-compliance, appear designed to push local pet stores out of business. The expectation to maintain detailed records for every animal, regardless of its lifespan or changes in appearance, for up to three years is unrealistic and not conducive to the practical operations of a retail pet store. This approach not only threatens the viability of these businesses but also overlooks the dynamic nature of animal growth and development.

The portrayal of this bill as a necessary step to align with other states or municipalities is misleading. Only a small fraction of states and cities have adopted similar legislation, and there is a growing trend of states enacting preemptive laws to protect retail pet stores from such restrictive bans. It's essential to consider the broader legislative landscape and the implications of positioning our state as an outlier with overly restrictive laws.

Our pet stores provide safe, reliable places for families to meet and choose their pets in a secure environment, offering protections and assurances that cannot be matched by unregulated or online marketplaces. The bill threatens to drive these transactions into less regulated spaces, increasing risks for both consumers and animals. The importance of preserving consumer access to diverse pet options in a safe and regulated environment cannot be overstated.

Rather than imposing broad, punitive measures, I urge you to look for a more targeted and balanced approach to addressing any concerns within the pet industry. This could include enhanced education on responsible pet ownership, voluntary standards and certification for breeders and pet stores, and focused enforcement against truly problematic practices without penalizing those committed to animal welfare and consumer service.

SB2120, in its current form, is not the solution. I urge you to oppose this bill to avoid detrimental impacts on small businesses, consumer choice, and the well-being of pets in our state.

**SB-2120-SD-1**

Submitted on: 2/27/2024 11:35:11 AM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Yoshiko Hollingsworth	Individual	Oppose	Written Testimony Only

Comments:

I oppose Senate Bill 2120 due to its detrimental impact on small pet businesses and breeders, limiting consumer choice and harming pet welfare. The bill's demanding record-keeping requirements for pet sourcing and medical history are impractical for small stores, risking closures and job losses without affecting larger chains that don't sell certain pets. Its unrealistic documentation standards and harsh penalties could unfairly target these businesses, disregarding the nature of animal growth and retail operations.

Contrary to claims, this legislation does not align with a widespread trend; few states have similar laws, and many are protecting retail pet stores from such restrictive measures. The bill could isolate our state with harmful regulations, pushing pet sales into less regulated areas, increasing risks for consumers and pets alike.

I advocate for a balanced approach, focusing on responsible pet ownership, voluntary standards for the industry, and targeted enforcement against problematic practices, rather than broad, punitive measures. I urge the reconsideration of SB2120 to avoid harming small businesses, consumer options, and pet welfare, promoting effective, specific solutions instead.

Dated: February 27, 2024  
To: Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair  
Submitted By: Stacey Noelani Spirz I (808) 384-5696 | [sspirz@gmail.com](mailto:sspirz@gmail.com)  
Testimony on behalf of self.  
RE: **Testimony in support of SB2120 SD1: Relating to Pet Sales**  
Date of Hearing: Wednesday, Feb. 28, 2024, 10:00 a.m., Conference Room 016

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Aloha,

I am writing to express my **strong support for SB2120 SD1 and to urge its amendment to include the crucial accountability measures originally proposed**. As a concerned citizen and pet owner, I believe it is imperative that we address the lack of regulation surrounding retail pet businesses in our state.

Currently, there are no regulations in place to ensure the welfare of animals sold by retail pet businesses in Hawaii. This absence of oversight poses significant risks, both to consumers who may unknowingly purchase pets from substandard conditions, and to the animals themselves who deserve to be treated with care and respect.

Pets are more than just animals; they are cherished members of our families. It is unacceptable that some individuals and businesses are taking advantage of the lack of regulation to mistreat or neglect these innocent creatures. By enacting SB2120 SD1 with strengthened accountability measures, we can begin to rectify this issue and ensure the well-being of pets across our state.

Transparency and accountability are essential in today's society, particularly when it comes to the welfare of animals. Without consequences for those who fail to uphold proper standards of care, there is little incentive for improvement. By holding retail pet businesses accountable for the treatment of their animals, we send a clear message that we actually care. This is to not stop their sales as some pet stores might make it out to seem, just transparency and consequences where there is none.

I urge you to support the amendment of SB2120 SD1 to include robust accountability measures and to pass this vital legislation for the well-being of our pets and the integrity of our state.

Mahalo for your time.



**SB-2120-SD-1**

Submitted on: 2/27/2024 9:49:11 PM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tiffany Kim	Individual	Support	Written Testimony Only

Comments:

Testifying in support of amending the bill to include the accountability sought by the original measure.