
A BILL FOR AN ACT

RELATING TO CRUELTY TO ANIMALS.

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

1 SECTION 1. Section 711-1109, Hawaii Revised Statutes, is
2 amended by amending subsections (1) and (2) to read as follows:

3 "(1) A person commits the offense of cruelty to animals in
4 the second degree if the person intentionally, knowingly, or
5 recklessly:

6 (a) Overdrives, overloads, tortures, torments, beats,
7 causes substantial bodily injury to, or starves any
8 animal, or causes the overdriving, overloading,
9 torture, torment, beating, or starving of any animal;

10 (b) Deprives a pet animal of necessary sustenance or
11 causes that deprivation;

12 (c) Mutilates, poisons, or kills without need any animal
13 other than insects, vermin, or other pests; provided
14 that the handling or extermination of any insect,
15 vermin, or other pest is conducted in accordance with
16 standard and acceptable pest control practices and



1 ~~[all applicable laws and regulations;]~~ rules adopted
2 by the department of agriculture;

3 (d) Keeps, uses, or in any way is connected with or
4 interested in the management of, or receives money for
5 the admission of any person to, any place kept or used
6 for the purpose of fighting or baiting any bull, bear,
7 cock, or other animal, and includes every person who
8 encourages, aids, or assists therein, or who permits
9 or suffers any place to be so kept or used;

10 (e) Carries or causes to be carried, in or upon any
11 vehicle or other conveyance, any animal in a cruel or
12 inhumane manner;

13 (f) Confines or causes to be confined, in a kennel or
14 cage, any pet animal in a cruel or inhumane manner;

15 (g) Tethers, fastens, ties, or restrains a dog to a
16 doghouse, tree, fence, or any other stationary object,
17 or uses a trolley, trolley with swivels, pulley,
18 cable, running line, or trolley lacking swivels at
19 each end that is designed to attach a dog to two
20 stationary objects in a configuration that endangers



1 the dog, including preventing the dog from obtaining
2 necessary sustenance;

3 (h) Tethers or restrains a dog under the age of six months
4 unless the dog is engaged in an activity supervised by
5 its owner or an agent of its owner;

6 (i) Tethers or restrains a dog by a tow or log chain;

7 (j) Tethers or restrains by means of choke collar, pinch
8 collar, or prong collar unless the dog is engaged in
9 an activity supervised by its owner or an agent of its
10 owner; or

11 (k) Assists another in the commission of any act specified
12 in paragraphs (a) through (j).

13 (2) Subsection (1)(a), (b), (c), (e), (f), (g), and (h)
14 shall not apply to:

15 (a) Accepted veterinary practices;

16 (b) Activities carried on for scientific research governed
17 by standards of accepted educational or medicinal
18 practices; ~~[or]~~

19 (c) Pest control operations conducted pursuant to chapter
20 149A by a pest control operator licensed pursuant to



chapter 460J, if the pest control is performed under a written contract~~[]~~; or

(d) The extermination of feral chickens on private property by the property owner; provided that the extermination is conducted in accordance with standard and acceptable pest control practices and rules adopted by the department of agriculture."

SECTION 2. No later than _____, the department of agriculture shall adopt rules pursuant to chapter 91, Hawaii Revised Statutes, concerning the humane extermination of insects, vermin, pests, and feral chickens for purposes of sections 711-1109(1)(c) and 711-1109(2)(d), Hawaii Revised Statutes.

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

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

INTRODUCED BY: _____



JAN 16 2025



Report Title:

HDOA: Cruelty to Animals; Feral Chickens; Private Property;
Exemption

Description:

Exempts from the crime of cruelty to animals in the second degree the extermination of insects, vermin, and pests, and the extermination of feral chickens on private property by the property owner; provided that the extermination is conducted in accordance with standard and acceptable pest control practices and rules adopted by the Department of Agriculture. Requires the Department of Agriculture to adopt rules, pursuant to chapter 91, Hawaii Revised Statutes, concerning the humane extermination of insects, vermin, pests, and feral chickens.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

