
A BILL FOR AN ACT

RELATING TO ANIMAL CONTROL.

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

1 SECTION 1. Chapter 143, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§143-A Cat sterilization; cat breeding permit;
5 requirements. (a) It shall be unlawful for any person to own a
6 cat over the age of three months unless the cat is surgically
7 sterilized.

8 (b) A cat may be exempted from the sterilization
9 requirement under subsection (a) if:

10 (1) A duly licensed veterinarian certifies in writing that
11 the cat is not suitable for sterilization due to
12 health or age considerations; provided that the
13 certification shall be applicable for a period of up
14 to one year, as specified in writing by the
15 veterinarian, and contain the veterinarian's license
16 number;



1 (2) Arrangements have been made to sterilize the cat
 2 within sixty days after the date the person assumes
 3 ownership over the cat and the cat is sterilized in
 4 that sixty-day period; or

5 (3) A breeding permit is obtained in accordance with this
 6 section.

7 (c) Each county animal control authority may administer
 8 and enforce a permit program to allow the responsible breeding
 9 of cats consistent with local ordinances and the minimum
 10 requirements identified in this section. A cat breeding permit
 11 program administered pursuant to this section shall, at a
 12 minimum:

13 (1) Prohibit the sale or adoption of any offspring of a
 14 breeding cat until the offspring has:

15 (A) Reached the age of at least eight weeks; and

16 (B) Been immunized against common diseases by a
 17 licensed veterinarian;

18 provided that the surrender of any offspring of a
 19 breeding cat to an animal control authority shall be
 20 prohibited until the offspring has reached the age of
 21 at least eight weeks;



- 1 (2) Require any permit holder advertising to the public
- 2 the availability of any cat for adoption or sale to:
- 3 (A) Prominently display the permit number in any
- 4 publications in which the permit holder
- 5 advertises; and
- 6 (B) Provide the permit number to any person adopting
- 7 or purchasing any cat bred by the permit holder;
- 8 and
- 9 (3) Require one permit per breeding cat.
- 10 (d) To obtain a cat breeding permit pursuant to this
- 11 section, an applicant shall, at a minimum:
- 12 (1) Pay an annual fee of \$250 per breeding cat, to be
- 13 retained by the animal control authority; and
- 14 (2) Provide proof to the appropriate animal control
- 15 authority administering the permit program that:
- 16 (A) The breeding cat covered by the permit:
- 17 (i) Is implanted with a microchip, in accordance
- 18 with section 143-2;
- 19 (ii) Is fully contained on the owner's property
- 20 or under a person's direct control, such as
- 21 by leash, if off the owner's property;



- 1 (iii) Is not genetically similar to any cat the
2 breeding cat is being bred with;
- 3 (iv) Is up-to-date on prophylactic health care,
4 including core cat vaccines;
- 5 (v) Has tested negative for feline leukemia and
6 feline immunodeficiency virus;
- 7 (vi) Is at least eighteen months of age and less
8 than seven years of age; and
- 9 (vii) For a female cat, has not had more than one
10 litter a year and less than four litters in
11 its lifetime; and
- 12 (B) The applicant does not use a third party for sale
13 or transfer of cats and kittens.
- 14 (e) No person convicted of cruelty to animals under
15 sections 711-1108.5, 711-1109, or 711-1109.7 shall be issued a
16 cat breeding permit under this section.
- 17 (f) Any person violating this section shall be fined no
18 less than \$500 and no more than \$1,000 per violation per cat.
- 19 (g) This section shall not apply to cats brought into the
20 State exclusively for the purpose of entering them in a cat show
21 or exhibition and not allowed to run at large.



1 §143-B Spay and neuter special fund. (a) There is
2 established in the state treasury the spay and neuter special
3 fund, to be administered by the department of budget and
4 finance. Moneys received by the department of budget and
5 finance from:
6 (1) State income tax refund designations to the special
7 fund pursuant to section 235- ;
8 (2) Revenue generated by the fundraising fees from special
9 number plates pursuant to section 249- ;
10 (3) Fees collected pursuant to section 143-A(d)(1); and
11 (4) Legislative appropriations, private gifts or
12 donations, and other sources,
13 shall be deposited into the special fund. All interest earned
14 or accrued on moneys deposited into the special fund shall
15 become part of the special fund.
16 (b) Moneys in the special fund shall be expended to reduce
17 pet overpopulation, including the free-roaming cat population,
18 by providing spaying and neutering surgery and associated
19 veterinary care; provided that spayed or neutered animals are
20 not re-released into the environment and the uses and
21 expenditures of moneys in the special fund shall follow the



1 eligibility criteria established by the advisory committee
2 established under subsection (c).

3 (c) There is established an advisory committee to assist
4 the department of budget and finance in establishing the
5 eligibility criteria and procedures for disbursements from the
6 special fund.

7 The advisory committee shall consist of seven members to be
8 selected by the director of finance and shall include the
9 following:

10 (1) One representative of the department of budget and
11 finance;

12 (2) One representative of the department of land and
13 natural resources;

14 (3) One representative of the department of health;

15 (4) One representative of the Hawaii Animal Welfare
16 Association or its successor organization, who shall
17 be invited to participate;

18 (5) At least one representative of the Hawaii Veterinary
19 Medical Association, who shall be invited to
20 participate; and



1 (6) At least one member from a Hawaii-based, private, non-
2 profit animal-welfare organization, who shall be
3 invited to participate.

4 The advisory committee shall select a chairperson from
5 among its members. All members of the advisory committee shall
6 be residents of the State and shall serve three-year terms. All
7 members shall have an active interest in humanely reducing pet
8 overpopulation and reducing the number of free-roaming cats in
9 the State.

10 (d) The advisory committee shall submit an annual report
11 to the director of finance, in a form prescribed by the
12 director, that identifies the total amount of funds that were
13 disbursed from the special fund during the previous fiscal year
14 and the amount of funds to be carried over to the next fiscal
15 year. The advisory committee shall submit the report to the
16 director of finance within ninety days after the close of each
17 fiscal year.

18 (e) The members of the advisory committee shall serve
19 without pay but shall be reimbursed for their actual and
20 necessary expenses, including travel expenses, incurred in
21 carrying out their duties."



1 SECTION 2. Chapter 235, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§235- Income check-off authorized; spaying and
5 neutering of animals. Notwithstanding any law to the contrary,
6 any individual whose state income tax refund for any taxable
7 year is \$5 or more may designate \$5 of the refund to be
8 deposited into the spay and neuter special fund established by
9 section 143-B, when submitting a state income tax return to the
10 department. In the case of a joint return of a married couple
11 having a state income tax refund of \$10 or more, each spouse may
12 designate that \$5 be deposited into the special fund. The
13 director of taxation shall revise the individual state income
14 tax form to allow the designation of contributions to the fund
15 on the face of the tax return and immediately above the
16 signature lines. If no designation was made on the original tax
17 return when filed, a designation may be made by the individual
18 on an amended return filed within twenty months and ten days
19 after the due date for the original return for that taxable
20 year. A designation once made, whether by an original or
21 amended return, shall not be revoked."



1 SECTION 3. Chapter 249, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§249- Special number plates; spay and neuter special
5 fund; authorized. (a) Notwithstanding any law to the contrary,
6 the director of finance shall issue to any registered owner of a
7 motor vehicle, who is a resident of the State, upon completed
8 application and payment of the required fees, a special number
9 plate for the registered owner's motor vehicle supporting the
10 spay and neuter special fund.

11 (b) The director of finance of the city and county of
12 Honolulu, in consultation with the directors of finance of the
13 counties of Hawaii, Kauai, and Maui; chiefs of police of the
14 city and county of Honolulu and the counties of Hawaii, Kauai,
15 and Maui; and advisory committee of the spay and neuter special
16 fund, shall establish a special number plate design that:

17 (1) Contains words, images, or both, that indicate the
18 special number plate is issued to recognize the
19 spaying and neutering of animals;

20 (2) Is similar in shape and size to the uniform state
21 number plate prescribed by law; and



1 (3) Does not obstruct the visibility of the numbers or
2 letters or any other information that is required by
3 law to be on a number plate and is readily
4 identifiable and distinguishable under actual traffic
5 conditions.

6 (c) The special number plate design shall not:

7 (1) Infringe upon or otherwise violate any trademark,
8 trade name, service mark, copyright, or other
9 proprietary or property right;

10 (2) Represent any obscene or degrading image, idea, word,
11 or phrase;

12 (3) Advertise or endorse a product, brand, or service that
13 is provided for sale;

14 (4) Promote any religious belief; or

15 (5) Promote any philosophy based on prejudice or that is
16 contrary to state civil rights laws.

17 (d) Each special number plate shall be securely fastened
18 to the motor vehicle in lieu of the uniform state number plate.

19 (e) The director of finance shall charge a special number
20 plate fee at least equal to the county's cost of providing the
21 special number plate and administrative costs, if any, plus a



1 fundraising fee to be determined by the director of finance in
2 consultation with the advisory committee of the spay and neuter
3 special fund. The fundraising fee shall be in addition to any
4 other state or county fees collected for a motor vehicle
5 registration or license plate.

6 (f) The director of finance may charge an additional
7 fundraising fee of the same or a different amount as the
8 fundraising fee established pursuant to subsection (e), for the
9 renewal of a special number plate. If an additional fundraising
10 fee is implemented pursuant to this subsection, the director of
11 finance shall revoke the special number plate of any registered
12 owner of a motor vehicle who fails to pay the additional
13 fundraising fee imposed by this subsection.

14 (g) The revenue generated by the fundraising fees, or a
15 portion of the revenue generated by the fundraising fees as
16 determined by the director of finance, shall be deposited into
17 the spay and neuter special fund established by section 143-B.

18 (h) The director of finance may revoke all special number
19 plates issued pursuant to this section if the total number of
20 registered owners of motor vehicles that obtain the special



1 number plates is less than one hundred fifty within three years
2 of issuance of the first special number plate.

3 (i) Nothing in this section shall be construed to apply to
4 any plates issued pursuant to section 249-9.2 or 249-9.5.

5 (j) As used in this section, unless a different meaning
6 appears from the context, "special number plate" means a license
7 plate that recognizes the spaying and neutering of animals."

8 SECTION 4. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$500,000 or so much
10 thereof as may be necessary for fiscal year 2025-2026 and the
11 same sum or so much thereof as may be necessary for fiscal year
12 2026-2027 to be deposited into the spay and neuter special fund
13 established by section 143-B, Hawaii Revised Statutes.

14 SECTION 5. There is appropriated out of the spay and
15 neuter special fund established by section 143-B, Hawaii Revised
16 Statutes, the sum of \$500,000 or so much thereof as may be
17 necessary for fiscal year 2025-2026 and the same sum or so much
18 thereof as may be necessary for fiscal year 2026-2027 to reduce
19 pet overpopulation, including the free-roaming cat population,
20 by providing spaying and neutering surgery and associated
21 veterinary care.



1 The sums appropriated shall be expended by the department
2 of budget and finance for the purposes of this Act.

3 SECTION 6. In codifying the new sections added by section
4 1 of this Act, the revisor of statutes shall substitute
5 appropriate section numbers for the letters used in designating
6 the new sections in this Act.

7 SECTION 7. New statutory material is underscored.

8 SECTION 8. This Act shall take effect on January 1, 2026;
9 provided that:

10 (1) Section 2 of this Act shall apply to taxable years
11 beginning after December 31, 2024; and

12 (2) Sections 4 and 5 of this Act shall take effect on July
13 1, 2025.

14

INTRODUCED BY:

2ML

JAN 16 2025



H.B. NO. 364

Report Title:

Cat Sterilization; Breeding Permit; Requirements; Counties;
Animal Control; Spay and Neuter Special Fund; Special Number
Plates; Income Check-off; Appropriation

Description:

Requires that cats over the age of three months be surgically sterilized, with certain exceptions. Authorizes county animal control authorities to establish and enforce a permit program to allow the responsible breeding of cats. Establishes minimum requirements for breeding permits and penalties. Establishes the Spay and Neuter Special Fund to reduce pet overpopulation, including the free-roaming cat population, and various revenue and fundraising sources for the special fund. Appropriates funds. Effective 1/1/2026.

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

