

ACT 40

H.B. NO. 259

A Bill for an Act Relating to Damages for Trespass of Animals.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Sections 142-63, 142-64, and 142-65, Hawaii Revised Statutes, are amended to read as follows:

“Sec. 142-63 Trespass on fenced cultivated land. If any cattle, horse, mule, ass, swine, sheep, or goat, trespasses on any properly fenced cultivated ground, the owner thereof shall pay upon proof, the full amount of the damage or loss to the land owners, or to any person in possession of the land, whoever suffers the damage or loss.

Sec. 142-64 On unfenced cultivated land. If any of the animals mentioned in section 142-63 trespasses on any unfenced cultivated ground, the owner thereof shall pay upon proof, the full amount of the damage or loss to the land owner or to any person in possession of the land, whoever suffers the damage or loss.

Sec. 142-65 On uncultivated land. If any of the animals mentioned in section 142-63 trespasses on any properly fenced uncultivated land, the owner of the animals shall pay upon proof, the full amount of the damage or loss to the land owner or to any person in possession of the land, whoever suffers the damage or loss.”

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SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 3, 1975.)

*Edited accordingly.