

ACT 117

H.B. NO. 3121

A Bill for an Act Relating to Civil Defense.

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

SECTION 1. The legislature finds that pets enrich our lives in more ways than we sometimes realize. In turn, they depend on us for their safety and well-being. In times of natural disaster, both humans and animals, particularly pet animals, are in danger of loss of life or serious injury. However, the legislature finds that, during an emergency period, most emergency shelters will not accept pet animals due to public health concerns.

The legislature is concerned with the welfare of pet animals during emergencies; however, of equal concern is the fact that many pet owners, worried about their pets' safety, may be dissuaded or delayed in seeking proper shelter in these emergencies. As recent events have shown, many pet owners would put themselves in harm's way rather than abandon their pets.

The purpose of this Act is to require the director of civil defense and organizations under the direction of the director that operate and maintain emergency shelters during emergency periods, subject to the public's health and safety, to make suitable arrangements and accommodations to provide shelter to pet animals.

SECTION 2. Chapter 128, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§128- Public shelters; accommodation of pet animals. (a) The governor shall prescribe rules, pursuant to section 128-27, for the purpose of establishing criteria, requirements, conditions, and limitations for providing suitable arrangements and accommodations for the sheltering of pet animals in public shelters under this chapter.

(b) The director of civil defense shall identify, in coordination with other organizations engaged in civil defense functions relating to providing shelter, or the management or operation of a public shelter under this chapter, those public shelters that are suitable for the sheltering of pet animals.

ACT 117

(c) The director may also identify, in coordination with private owners, operators, or controllers of real property, private shelters that are suitable for the sheltering of pet animals; provided that any private shelter so identified shall not be subject to the rules prescribed by the governor for the operation of a public shelter that has been identified for the sheltering of pet animals pursuant to subsection (b).

(d) A public shelter identified for the sheltering of pet animals pursuant to subsection (b) need not be subject to the criteria developed pursuant to section 5 of Act 5, Special Session Laws of Hawaii 2005, unless the particular shelter has been specifically identified as a shelter for both pet animals and the public.

(e) For purposes of this section, “pet animal” shall have the same meaning as defined in section 711-1100.”

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved May 22, 2006.)

Note

1. Edited pursuant to HRS §23G-16.5.