
A BILL FOR AN ACT VETO OVERRIDE

Act No. 5

Approved: W/ B

Date: July 6, 2021

RELATING TO MICROCHIP IDENTIFICATION.

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

1 SECTION 1. The legislature finds that one in three pets
2 will become lost during its lifetime. Sadly, ninety per cent of
3 these pets will not return home unless the pet is equipped with
4 some sort of identification. Across the nation, 1,500,000 stray
5 animals are euthanized by animal shelters and animal control
6 contractors. Microchip identification can save the lives of
7 these pets.

8 Today, national microchip registration companies provide a
9 more affordable and effective alternative for pet owners looking
10 for their lost pets. The legislature further finds that
11 microchip identification is the single most effective way of
12 returning lost pets to their owners. A microchip is about the
13 size of a grain of rice and implanted beneath the pet's skin
14 between the shoulders. It contains a unique number used to
15 identify animals, which can be scanned and then used to find the
16 owner's contact information in a registry. Found pets can be
17 taken to a veterinary office, rescue organization or shelter, or
18 even a pet store to have the pet checked for a microchip.



1 With support from social media, individuals with personal
2 scanners are available in every community and can respond to
3 found pet alerts posted on pet pages. National registries, such
4 as the nonprofit Found Animals organization, then send a
5 voicemail, text message, and electronic mail alert to owners
6 when their pet is found. The pet owner is then provided with
7 the contact information of the rescuer or finder. These support
8 networks allow finders to directly return lost pets to their
9 owners in the communities in which they live, since lost pets
10 are most often found within a mile of their home.

11 The legislature also finds that this streamlined process
12 effectively bypasses the need for animal control, saves taxpayer
13 money by eliminating the cost of intake and boarding, and avoids
14 the delays and additional stress on the pet from sitting alone
15 in a kennel waiting for its owner.

16 Therefore, the purpose of this Act is to save pets' lives
17 by requiring dog and cat owners to microchip their pets.

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



1 "§143- Microchip identification. (a) An owner shall
2 have a microchip implanted in the owner's dog or cat, and the
3 owner shall register the microchip number and the owner's
4 contact information with a microchip registration company.

5 (b) When the contact information of the owner of a dog or
6 cat changes, the owner shall provide the new contact information
7 to the applicable microchip registration company no later than
8 thirty days after the change in contact information occurs.

9 (c) When the owner of a dog or cat transfers ownership to
10 another owner:

11 (1) The former owner shall inform the new owner of the
12 microchip registration company with which the dog's or
13 cat's microchip is registered; and

14 (2) The new owner shall provide the microchip registration
15 company with the new owner's contact information no
16 later than thirty days after the transfer of ownership
17 occurs.

18 (d) Each animal control contractor or nonprofit animal
19 rescue organization shall implant a microchip in all stray dogs
20 and cats in its custody that do not have a microchip.



1 (e) All animal control contractors shall activate the
2 microchip registration company's found pet alerts to notify
3 owners whose pets' microchips are registered with that company if
4 the pet is found and the owner is not present.

5 (f) Veterinary clinics, animal shelters, and other animal
6 rescue organizations that scan found pets for microchips shall
7 release only the chip identification number to the finder upon
8 request.

9 (g) Nothing in this section shall be construed to apply to
10 animals being cared for as part of a designated population
11 management program.

12 (h) As used in this section, "owner" means any person
13 owning, harboring, or keeping a dog or cat; providing care or
14 sustenance for a dog or cat; or having custody of a dog or cat,
15 whether temporarily or permanently. "Owner" does not include
16 the animal quarantine branch or plant quarantine branch of the
17 department of agriculture."

18 SECTION 3. Section 143-1, Hawaii Revised Statutes, is
19 amended by adding a new definition to be appropriately inserted
20 and to read as follows:



1 "Microchip" or "microchip identification" means a device
2 that is implanted under the skin of an animal and that contains
3 contact information for the owner of the animal."

4 SECTION 4. Section 143-2, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "§143-2 License or microchip required. It shall be
7 unlawful for any person to own or harbor a [dog]:

8 (1) Dog unless the dog is licensed and has been implanted
9 with a microchip identification as provided by this
10 chapter[-]; provided that the [~~legislative bodies of~~
11 ~~the several~~] counties may, by ordinance, dispense with
12 or modify the licensing requirements of this chapter[-
13 This]; provided further that this chapter shall not
14 apply to dogs under the age of three months [~~which do~~
15 ~~not run at large, dogs in quarantine and] or dogs~~
16 brought into the State exclusively for the purpose of
17 entering them in a dog show or [dog] exhibition and
18 not allowed to run at large[-]; or

19 (2) Cat unless the cat has been implanted with a microchip
20 identification as provided by this chapter; provided
21 that this chapter shall not apply to cats under the



1 age of three months or cats brought into the State
2 exclusively for the purpose of entering them in a cat
3 show or exhibition and not allowed to run at large."

4 SECTION 5. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun before its effective date.

7 SECTION 6. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 7. This Act shall take effect on January 1, 2022.