



GOV. MSG. NO. 1301

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 6, 2021

The Honorable Ronald D. Kouchi,  
President and Members of the Senate  
Thirty First State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirty First State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith SB1387 SD1 HD2 CD1, without my approval and with the statement of objections relating to the measure.

SB1387 SD1 HD2 CD1

RELATING TO MICROCHIP IDENTIFICATION

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1387

Honorable Members  
Thirty-First Legislature  
State of Hawai'i

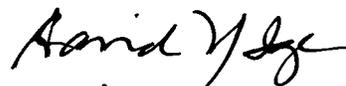
Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 1387, entitled "A Bill for an Act Relating to Microchip Identification."

The purpose of this bill is to require dog and cat owners to microchip their pets and update the ownership information when pets are transferred between owners.

This bill is objectionable because the proposed new statutory section includes an exemption for a "designated population management program." That term is not defined in any statute or rule and there is no agency or entity responsible for creating such a designation. The bill will also introduce conflict and confusion with county ordinances that already define "ownership" and identification requirements, such as the microchipping requirements of the City and County of Honolulu and the County of Kaua'i.

For the foregoing reasons, I am returning Senate Bill No. 1387 without my approval.

Respectfully,



DAVID Y. IGE  
Governor of Hawai'i

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**A BILL FOR AN ACT**

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.

APPROVED this           day of           , 2021

GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI‘I**

Date: April 27, 2021  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2021.

  
President of the Senate

  
Clerk of the Senate

SB No. 1387, SD 1, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives