

JAN 26 2011

A BILL FOR AN ACT

RELATING TO CRUELTY TO ANIMALS.

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

1 SECTION 1. Section 711-1109, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "(1) A person commits the offense of cruelty to animals in
4 the second degree if the person intentionally, knowingly, or
5 recklessly:

6 (a) Overdrives, overloads, tortures, torments, beats,
7 causes substantial bodily injury, or starves any
8 animal, or causes the overdriving, overloading,
9 torture, torment, beating, or starving of any animal;

10 (b) Deprives a pet animal of necessary sustenance or
11 causes such deprivation;

12 (c) Mutilates, poisons, or kills without need any animal
13 other than insects, vermin, or other pests; provided
14 that pests do not include peacocks;

15 (d) Keeps, uses, or in any way is connected with or
16 interested in the management of, or receives money for
17 the admission of any person to, any place kept or used
18 for the purpose of fighting or baiting any bull, bear,



1 cock, or other animal, and includes every person who
2 encourages, aids, or assists therein, or who permits
3 or suffers any place to be so kept or used;

4 (e) Carries or causes to be carried, in or upon any
5 vehicle or other conveyance, any animal in a cruel or
6 inhumane manner;

7 (f) Confines or causes to be confined, in a kennel or
8 cage, any pet animal in a cruel or inhumane manner;

9 (g) Tethers, fastens, ties, or restrains a dog to a
10 doghouse, tree, fence, or any other stationary object
11 by means of a choke collar, pinch collar, or prong
12 collar; provided that a person is not prohibited from
13 using such restraints when walking a dog with a hand-
14 held leash or while a dog is engaged in a supervised
15 activity; or

16 (h) Assists another in the commission of any act specified
17 in subsections (1) (a) through (1) (g).

18 For purposes of this subsection, a peacock refers to a male
19 peafowl generally distinguished by a crest of upright feathers
20 and by greatly elongated, loosely webbed upper tail coverts
21 which are mostly tipped with iridescent spots and are erected
22 and spread in a shimmering fan usually as a courtship display."



1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. New statutory material is underscored.

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

6

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'Michael', written over a horizontal line.

Report Title:

Cruelty to Animals; Peacocks

Description:

Clarifies that peacocks are not included as pests for purposes of the law on cruelty to animals in the second degree.

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

