
HOUSE RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF, AND DRAFT PROPOSED LEGISLATION RELATING TO, THE CARE OF RESCUED ANIMALS AND REIMBURSEMENT FOR, AND IMMUNITY FROM, CIVIL AND CRIMINAL LIABILITY FOR THE CARE OF RESCUED ANIMALS.

1 WHEREAS, Hawaii has experienced incidents of animals in
2 need of rescue and veterinary care; and

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4 WHEREAS, Hawaii currently has no Good Samaritan law
5 relating to the care of rescued animals and reimbursement, or
6 immunity from civil and criminal liability for, that care; and

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8 WHEREAS, many states have some form of Good Samaritan law
9 relating to caring for animals; and

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11 WHEREAS, Wyoming has enacted legislation that provides
12 protection for individuals in possession of a stray animal that
13 subsequently dies, provided that the death was not the result of
14 mistreatment or wilful neglect by the person; and

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16 WHEREAS, Vermont has enacted legislation that provides
17 immunity for veterinarians and other individuals who, in good
18 faith, provide care and treatment for an animal during an
19 emergency, under certain conditions; and

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21 WHEREAS, Washington has enacted legislation that provides
22 immunity from liability for licensed veterinarians who report
23 suspected incidents of unlawful animal cruelty, under certain
24 conditions; and

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26 WHEREAS, South Carolina has enacted legislation that
27 provides immunity from civil and criminal liability for
28 individuals, including licensed veterinarians, who, in good
29 faith and without compensation, render emergency care or



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1 treatment to a domestic animal that is abandoned, ill, injured,
2 or in distress; and

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4 WHEREAS, North Dakota has enacted legislation that provides
5 immunity from civil and criminal liability for certain
6 individuals for acts taken or omitted while attempting to comply
7 with the State's provisions regarding the humane treatment of
8 animals; and

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10 WHEREAS, Ohio has enacted legislation that permits any
11 person to take possession of an animal to protect it from
12 neglect, permits any person to enter any place in which an
13 animal is impounded, exempts from liability for actions for
14 entry for the purpose of providing the animal with necessary
15 food, water, or proper attention, and permits collection from
16 the animal's owner or necessary expenses for food and attention;
17 and

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19 WHEREAS, conducting a study of Good Samaritan laws
20 regarding animal protection throughout the United States is the
21 first step toward Hawaii legislation regarding this issue; now,
22 therefore,

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24 BE IT RESOLVED by the House of Representatives of the
25 Twenty-eighth Legislature of the State of Hawaii, Regular
26 Session of 2015, that the Legislative Reference Bureau is
27 requested to conduct a study of, and draft proposed legislation
28 relating to, the care of rescued animals and reimbursement for,
29 and immunity from, civil and criminal liability for the care of
30 rescued animals; and

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32 BE IT FURTHER RESOLVED that the Legislative Reference
33 Bureau is further requested to submit findings and
34 recommendations, including any proposed legislation, to the
35 Legislature no later than twenty days prior to convening of the
36 2017 Regular Session; and

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38 BE IT FURTHER RESOLVED that a certified copy of this
39 Resolution be transmitted to the Director of the Legislative
40 Reference Bureau.

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OFFERED BY: *Yindechiyame*

