

STAND. COM. REP. NO. **410**

Honolulu, Hawaii

, 2021

FEB 18

RE: H.B. No. 416
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 416 entitled:

"A BILL FOR AN ACT RELATING TO SECTION 711-1109, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit certain restraints and tethers that endanger or deny sustenance to a dog; and
- (2) Authorize the court to assess fines, order performance of community service, require mental health counseling, or order attendance at education classes concerning animal abuse prevention in addition to or in lieu of other penalties.

Your Committee received testimony in support of this measure from the Hawaii Association of Animal Welfare Agencies, Hawaiian Humane Society, The Humane Society of the United States, Your Animal Interfaith Alliance in Britain, and numerous individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from Pono Advocacy, Animal Rights Hawaii, and one individual.



Your Committee finds that constant, improper tethering and restraint puts a dog's health and safety at risk. Your Committee further finds that existing state laws make it difficult for enforcement officers to take action before a dog suffers injury or death.

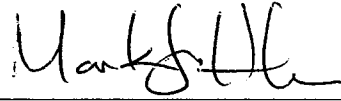
Your Committee has amended this measure by:

- (1) Including trolleys with and without swivels among the types of prohibited devices that may be used to attach a dog to two stationary objects;
- (2) Clarifying that use of restraints or tethers that endanger a dog, including preventing the dog from obtaining necessary sustenance, are prohibited;
- (3) Prohibiting the use of any tether or restraint on a dog under the age of six months, unless the dog is engaged in an activity supervised by its owner or an agent of its owner;
- (4) Prohibiting the tethering or restraint of dogs by tow or log chains;
- (5) Prohibiting the tethering or restraint of a dog through the use of a choke collar, pinch collar, or prong collar, unless the dog is engaged in an activity supervised by its owner or an agent of its owner;
- (6) Clarifying that the courts may assess fines, order performance of community service, require mental health counseling, or order attendance at educational classes concerning animal abuse prevention in addition to any authorized penalty, rather than in lieu of; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 416, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 416, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Agriculture,



MARK J. HASHEM, Chair



