



GOV. MSG. NO. 1130

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 7, 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:

This is to inform you that on June 7, 2021, the following bill was signed into law:

SB0189 SD1 HD1 CD1

RELATING TO DOG BITES.
ACT 030 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO DOG BITES.

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

1 SECTION 1. The legislature finds that dog bites are among
2 the top reasons for emergency room visits, ranking higher than
3 injuries occurring on motorcycles, to pedestrians, and from
4 gunshots. According to a 2018 study, an average of over
5 4.6 million people in the United States each year are admitted
6 into the emergency department as a result of a dog bite. Many
7 dog bite victims are children.

8 The legislature further finds that the current state law
9 only allows a dog bite victim standing in district court if it
10 can be proven to the court that the dog has bitten and injured a
11 person on at least two separate occasions. However, the
12 legislature notes there is no systematic tracking system for dog
13 bites in the State and many dog bite incidents go unreported.

14 Therefore, the purpose of this Act is to allow a person who
15 has been bitten by a dog to bring legal action against the dog's
16 owner without having to prove that the dog has bitten a person
17 on two separate occasions.



1 SECTION 2. Section 142-75, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Whenever a dog has bitten a human being [~~on at least~~
4 ~~two separate occasions~~] under circumstances for which none of
5 the exceptions specified in section 663-9.1 apply, any person
6 may bring an action against the owner of the dog in the district
7 court of the judicial circuit in which the owner resides, to
8 determine whether conditions of the treatment or confinement of
9 the dog or other circumstances existing at the time of the bite
10 or bites have been changed so as to remove the danger to other
11 persons presented by [~~such~~] the animal. The court, after
12 hearing, may make any order it deems appropriate to prevent the
13 recurrence of such an incident, including but not limited to the
14 removal of the animal from the area or its destruction by its
15 owner. In making its decision, the court may consider:

- 16 (1) The vicious or dangerous propensities of the animal;
17 (2) The ability of the owner to adequately confine or
18 remove the animal; and
19 (3) The necessity of any destruction of an animal in light
20 of the health, safety, and welfare of the community.

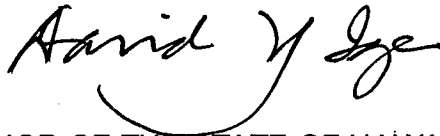


1 This section shall not preclude any existing common law
2 remedies."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

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

APPROVED this 07 day of JUN , 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. 189, SD 1, HD 1, 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