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# A BILL FOR AN ACT

RELATING TO SECTION 711-1109, HAWAII REVISED STATUTES.

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

1 SECTION 1. Section 711-1109, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By amending subsection (1) to read:

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

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

11 (b) Deprives a pet animal of necessary sustenance or  
12 causes [sueh] that deprivation;

13 (c) Mutilates, poisons, or kills without need any animal  
14 other than insects, vermin, or other pests; provided  
15 that the handling or extermination of any insect,  
16 vermin, or other pest is conducted in accordance with



- 1 standard and acceptable pest control practices and all  
2 applicable laws and regulations;
- 3 (d) Keeps, uses, or in any way is connected with or  
4 interested in the management of, or receives money for  
5 the admission of any person to, any place kept or used  
6 for the purpose of fighting or baiting any bull, bear,  
7 cock, or other animal, and includes every person who  
8 encourages, aids, or assists therein, or who permits  
9 or suffers any place to be so kept or used;
- 10 (e) Carries or causes to be carried, in or upon any  
11 vehicle or other conveyance, any animal in a cruel or  
12 inhumane manner;
- 13 (f) Confines or causes to be confined, in a kennel or  
14 cage, any pet animal in a cruel or inhumane manner;
- 15 (g) Tethers, fastens, ties, or restrains a dog to a  
16 doghouse, tree, fence, or any other stationary object  
17 [by], or uses a trolley, trolley with swivels, pulley,  
18 cable, running line, or trolley lacking swivels at  
19 each end that is designed to attach a dog to two  
20 stationary objects in a configuration that endangers



1           the dog, including preventing the dog from obtaining  
2           necessary sustenance;

3       (h) Tethers or restrains a dog under the age of six months  
4           unless the dog is engaged in an activity supervised by  
5           its owner or an agent of its owner;

6       (i) Tethers or restrains a dog by a tow or log chain; or

7       (j) Tethers or restrains by means of choke collar, pinch  
8           collar, or prong collar[; ~~provided that a person is~~  
9           ~~not prohibited from using such restraints when walking~~

10           ~~a dog with a hand-held leash or while a]~~ unless the  
11           dog is engaged in [~~a supervised~~] an activity[+]  
12           supervised by its owner or an agent of its owner; or

13       [~~h~~] (k) Assists another in the commission of any act  
14           specified in [~~subsections (1)(a)~~] paragraphs (a)  
15           through [~~(1)(g)~~] (j)."

16           2. By amending subsection (4) to read:

17           "(4) Cruelty to animals in the second degree is a  
18           misdemeanor, except [~~where~~] that if the offense, involves ten or  
19           more pet animals in any one instance [~~which~~], then cruelty to  
20           animals in the second degree is a class C felony."



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. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

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



**Report Title:**

Cruelty to Animals; Restraints; Penalties

**Description:**

Prohibits specified trolleys, trolleys with swivels, pulleys, cables, or running lines designed to attach a dog to two stationary objects in a configuration that endangers the dog, including by depriving the dog of sustenance. Prohibits tethering or restraining 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. Prohibits tethering or restraining a dog with a tow or log chain. Prohibits tethering or restraining a dog with 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. (SD1)

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

