
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 [~~such~~] 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;
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. (SD2)

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