

JAN 20 2023

A BILL FOR AN ACT

RELATING TO ANIMAL FUR PRODUCTS.

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

1 SECTION 1. The legislature finds that animals that are
2 slaughtered for their fur endure tremendous suffering. Animals
3 raised on fur farms typically spend their entire lives in
4 cramped and filthy cages. Fur farmers typically use the
5 cheapest killing methods available, including suffocation,
6 electrocution, gas, and poison.

7 The legislature recognizes that fur farms are reservoirs
8 and transmission vectors for dangerous zoonotic disease,
9 including SARS coronaviruses, that threaten public health.
10 COVID-19 infections have been confirmed at fur farms in Europe
11 and the United States, and scientific studies have linked mink,
12 raccoon dogs, and foxes, animals most commonly farmed for fur,
13 to a variety of coronaviruses.

14 The legislature further finds that the fur production
15 process is energy intensive and has a significant environmental
16 impact, including air and water pollution. Runoff from the fur
17 production process contains high concentrations of phosphorus



1 and nitrogen, which are among the most common forms of water
2 pollution in the United States.

3 Considering the wide array of alternatives for fashion and
4 apparel, the legislature finds that the demand for fur products
5 does not justify the unnecessary killing and cruel treatment of
6 animals, harm to the environment, and the public health risks
7 created by these practices.

8 The legislature believes that banning the sale of fur
9 products in the State will decrease the industry demand for
10 these cruel and environmentally harmful products and promote
11 community awareness of animal welfare and, in turn, will enhance
12 the reputation of the State.

13 The purpose of this Act is to prohibit the trade of certain
14 animal fur products in the State.

15 SECTION 2. The Hawaii Revised Statutes is amended by
16 adding a new chapter to be appropriately designated and to read
17 as follows:

18 "CHAPTER

19 ANIMAL FUR PRODUCTS

20 § -1 Definitions. As used in this chapter:



1 "Fur" means any animal skin with hair, fleece, or fur
2 fibers attached, either in its raw or processed state.

3 "Fur product" means any article of clothing or covering for
4 any part of the body, or any fashion accessory, including but
5 not limited to handbags, shoes, slippers, hats, earmuffs,
6 scarves, shawls, gloves, jewelry, keychains, toys or trinkets,
7 or home accessories and decor that is made in whole or in part
8 of fur. "Fur product" does not include any of the following:

- 9 (1) An animal skin or part thereof that is to be converted
10 into leather, or which in processing will have the
11 hair, fleece, or fur fiber completely removed;
- 12 (2) Cowhide with the hair attached thereto;
- 13 (3) Deerskin with the hair attached thereto;
- 14 (4) Lambskin or sheepskin with the fleece attached
15 thereto; or
- 16 (5) The pelt or skin of any animal that is preserved
17 through taxidermy or for the purposes of taxidermy.

18 "Nonprofit organization" means any entity exempt from
19 federal taxes under section 501(c)(3) of the Internal Revenue
20 Code of 1986, as amended, for charitable, religious,
21 philanthropic, educational, or similar purposes.



1 "Taxidermy" means the practice of preparing and preserving
2 the skin of an animal that is deceased and stuffing and mounting
3 it in lifelike form.

4 "Ultimate consumer" means a person who buys a fur product
5 for the person's own use, or for the use of another, but not for
6 resale or trade.

7 "Used fur product" means a fur product that has been worn
8 or used by an ultimate consumer.

9 **§ -2 Trade of animal fur products prohibited;**

10 **exemptions.** (a) It shall be unlawful to sell, offer for sale,
11 display for sale, trade, or otherwise distribute for monetary or
12 nonmonetary consideration a fur product in Hawaii. For purposes
13 of this section, the sale of a fur product shall be deemed to
14 occur in Hawaii if:

15 (1) The buyer takes physical possession of the fur product
16 in Hawaii; or

17 (2) The seller is located in Hawaii.

18 (b) This section shall not apply to the sale, offer for
19 sale, display for sale, trade, or distribution of:



1 (1) A used fur product by a person (excluding a retail
2 transaction), nonprofit organization, or second-hand
3 store, including a pawn shop;

4 (2) A fur product used in the exercise of traditional and
5 customary rights protected pursuant to article XII,
6 section 7, of the Hawaii State Constitution; or

7 (3) A fur product where the activity is expressly
8 authorized by federal law.

9 § -3 Penalties. A person in violation of this chapter
10 shall be subject to a civil penalty not to exceed \$1,000. Each
11 fur product sold, offered for sale, displayed for sale, traded,
12 or distributed in violation of this chapter and every day upon
13 which any such violation shall occur shall constitute a separate
14 offense."

15 SECTION 3. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 done before its effective date.

18 SECTION 4. If any provision of this Act, or the
19 application thereof to any person or circumstance, is held
20 invalid, the invalidity does not affect other provisions or
21 applications of the Act that can be given effect without the




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1 invalid provision or application, and to this end the provisions
2 of this Act are severable.

3 SECTION 5. This Act shall take effect on January 1, 2024.

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INTRODUCED BY: _____

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Report Title:

Animal Fur Products; Trade; Prohibition

Description:

Prohibits the sale, offer for sale, display for sale, trade, or distribution of certain animal fur products in the State.

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

