

JAN 17 2024

A BILL FOR AN ACT

RELATING TO PET SALES.

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

1 SECTION 1. The legislature finds that despite the high
2 popularity of pets in the State, there are no regulations of
3 retail pet businesses, placing consumers at risk of purchasing
4 sick pets, including pets that may carry diseases that are
5 transmissible to people and other pets. The lack of regulation
6 makes the State an outlier compared to the rest of the country,
7 as thirty-three states license commercial pet breeders, thirty-
8 one states set minimum standards of care for breeders, and
9 thirty states regulate the sale of puppies by pet stores.

10 In some instances, pet animals sold in pet stores are often
11 obtained from large-scale commercial breeders, also known as
12 puppy mills, that do not provide sanitary or humane living
13 conditions for their animals. Presently, puppy mills are not
14 regulated in the State, placing animals raised in dangerous
15 conditions at risk. Some puppy mills are hidden from public
16 view, leaving many prospective owners unaware of the animals'
17 living conditions. There are no existing laws that require



1 owners of puppy mills to be subject to regular inspections.
2 Additionally, some animals enter the State from countries exempt
3 from quarantine restrictions, preventing any oversight or
4 inspection of puppy mill operations.

5 The legislature further finds that there are responsible
6 and ethical breeders who sell their animals directly to the
7 public. Some breeders operate a transparent process to
8 prospective pet owners, who are invited to visit and observe
9 where and how the animals are bred and raised. Creating a
10 transparent process not only ensures the care and safety of pet
11 animals, but also creates consumer protections for prospective
12 owners.

13 Accordingly, the purpose of this Act is to require retail
14 stores that sell pet animals to:

- 15 (1) Maintain records regarding the source and medical
16 history of animals sold; and
17 (2) Provide records to pet purchasers and, upon request,
18 to county law enforcement agencies.

19 SECTION 2. Chapter 143, Hawaii Revised Statutes, is
20 amended by adding a new section to be appropriately designated
21 and to read as follows:



1 "§143- Retail sales of pet animals; documentation. (a)

2 A retail pet store shall maintain records sufficient to document
3 the source and medical history of each pet animal obtained by
4 the store for at least three years following the date the store
5 obtained the pet animal. This documentation shall contain:

6 (1) The name and business or residence address of the
7 breeder or broker, or both;

8 (2) A description of the pet animal, including species,
9 age, gender, coat type, color, and breed or breeds, if
10 known;

11 (3) A copy of records containing information regarding the
12 pet animal's microchip, vaccinations, medical
13 diagnosis, medications, or surgical treatment, or
14 medications administered to the pet animal before
15 transfer or sale to the retail pet store and while
16 owned by the pet store; and

17 (4) One or more separate photographs of each pet animal
18 obtained or purchased by the retail pet store.

19 (b) The retail pet store shall require the breeder or
20 broker, or both, to verify their identity by presenting:



1 (1) A general excise tax license or business license and
2 certificate of good standing issued by the department
3 of commerce and consumer affairs; and

4 (2) A valid photo identification card issued by a federal
5 or state government agency authorized to issue valid
6 identification.

7 (c) The retail pet store shall retain physical copies of
8 the following documentation at its place of business:

9 (1) A copy of the department of agriculture shipment
10 records and shipping invoice for pet animals purchased
11 from a foreign breeder or broker; and

12 (2) A copy of the business license or general excise tax
13 license and photo identification card of the breeder
14 or broker, or both, as specified in subsection (b).

15 (d) A retail pet store engaged in the sale of pet animals
16 shall provide the records required by subsection (a) pertinent
17 to the respective pet animal to the purchaser of that pet animal
18 before any sale is finalized.

19 (e) A retail pet store shall, upon request, provide the
20 records maintained under subsections (a) and (b) to county law
21 enforcement or the animal control services agency or contractor



1 for the county in which the retail pet store is located. All
2 retail pet stores shall submit records annually to the county's
3 animal control services agency or contractor in which the retail
4 pet store is located by July 1 of each year.

5 (f) Any person who violates this section shall be guilty
6 of a civil penalty of not less than \$1,000 and shall be
7 prohibited from selling pet animals for a period of at least one
8 year. Each pet animal sold or offered for sale in violation of
9 this section shall constitute a separate violation. All fines
10 collected upon a violation of this section shall be paid into
11 the treasury of the county where the violation occurred.

12 (g) No retail pet store shall sell or offer for sale any
13 pet animal unless the retail pet store was in operation in the
14 State prior to January 1, 2025; provided that the retail pet
15 store operates in the same location under the same ownership in
16 effect as of January 1, 2025.

17 (h) Nothing in this section shall prohibit a retail pet
18 store from showcasing dogs or cats owned by a nonprofit animal
19 welfare organization.

20 (i) For the purposes of this section:

21 "Breeder" means the person who breeds pet animals.



1 "Broker" means a person who resells pet animals from
2 breeders to retail pet stores.

3 "Pet animal" has the same meaning as defined in section
4 711-1100.

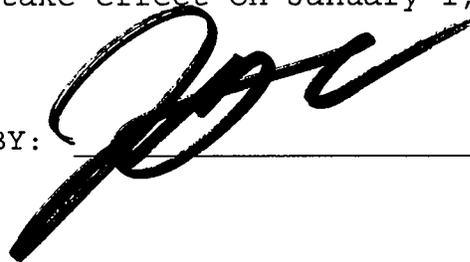
5 "Retail pet store" means a commercial establishment that
6 engages in a for-profit business of selling at retail pet
7 animals to the public."

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on January 1, 2025.

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INTRODUCED BY: _____

A large, bold, handwritten signature in black ink is written over the line following "INTRODUCED BY:". The signature is stylized and appears to be the initials "RJC".

S.B. NO. 2120

Report Title:

Pet Sales; Pet Animals; Documentation; Animal Control; Consumer Protection

Description:

Beginning January 1, 2025, establishes provisions relating to retail pet sales. Authorizes retail pet stores to showcase pet animals owned by a nonprofit animal welfare organization.

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

