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# A BILL FOR AN ACT

RELATING TO ANIMAL FUR PRODUCTS.

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

1           SECTION 1. Chapter 183D, Hawaii Revised Statutes, is  
2 amended by adding a new section to part V to be appropriately  
3 designated and to read as follows:

4           "§183D-       Animal fur products. (a) It shall be unlawful  
5 to sell, offer for sale, display for sale, trade, or otherwise  
6 distribute for monetary or nonmonetary consideration a fur  
7 product in Hawaii. For purposes of this section, the sale of a  
8 fur product shall be deemed to occur in Hawaii if:

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

11           (2) The seller is located in Hawaii.

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

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



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

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

6        (c) A person in violation of this section shall be subject  
7                    to a civil penalty not to exceed \$1,000. Each fur product sold,  
8                    offered for sale, displayed for sale, traded, or distributed in  
9                    violation of this section, and every day upon which any  
10                   violation shall occur, shall constitute a separate offense.

11        (d) The department may adopt rules pursuant to chapter 91  
12                   to further implement or enforce this section.

13        (e) As used in this section:

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

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



1        (1) An animal skin or part thereof that is intended to be  
2        converted into leather, or which through processing  
3        will have the hair, fleece, or fur fiber completely  
4        removed;

5        (2) Cowhide with the hair attached thereto;

6        (3) Deerskin with the hair attached thereto;

7        (4) Lambskin or sheepskin with the fleece attached  
8        thereto; or

9        (5) The pelt or skin of any animal preserved through  
10       taxidermy or for the purposes of taxidermy.

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

15       "Taxidermy" means the practice of preparing and preserving  
16 the skin of an animal that is deceased and stuffing and mounting  
17 it in lifelike form.

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



1       "Used fur product" means a fur product that has been  
2 previously worn or used by an ultimate consumer."

3       SECTION 2. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6       SECTION 3. If any provision of this Act, or the  
7 application thereof to any person or circumstance, is held  
8 invalid, the invalidity does not affect other provisions or  
9 applications of the Act that can be given effect without the  
10 invalid provision or application, and to this end the provisions  
11 of this Act are severable.

12       SECTION 4. New statutory material is underscored.

13       SECTION 5. This Act shall take effect on June 30, 3000.



**Report Title:**

Animal Fur Products; Trade; Prohibition; Department of Land and Natural Resources

**Description:**

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

Effective 6/30/3000. (HD2)

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

