

JAN 25 2017

A BILL FOR AN ACT

RELATING TO DOG BITES.

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

1 SECTION 1. Section 142-75, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Whenever a dog has bitten a human being on at least
4 [~~two separate occasions~~] one occasion for which none of the
5 exceptions specified in section 663-9.1 apply, any person may
6 bring an action against the owner of the dog in the district
7 court of the judicial circuit in which the owner resides, to
8 determine whether conditions of the treatment or confinement of
9 the dog or other circumstances existing at the time of the
10 [~~bites~~] bite have been changed so as to remove the danger to
11 other persons presented by such animal. The court, after
12 hearing, may make any order it deems appropriate to prevent the
13 recurrence of such an incident, including but not limited to the
14 removal of the animal from the area or its destruction by its
15 owner. In making its decision, the court may consider:

16 (1) The vicious or dangerous propensities of the animal;



1 (2) The ability of the owner to adequately confine or
2 remove the animal; and

3 (3) The necessity of any destruction of an animal in light
4 of the health, safety, and welfare of the community.

5 This section shall not preclude any existing common law
6 remedies."

7 SECTION 2. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.
13

INTRODUCED BY: Michelle D. Sidani
~~DR. Sidani~~

Amir de Bekar
Will Lynn
BSL


Rosa E. De
Imaie G. Jorjoe
Joe J. Jell
Breene K. Kanti
Travis J. Jell



S.B. NO. 1289

Report Title:

Dog Bites; Action Against Owner

Description:

Allows a person bitten by a dog to bring action against the dog owner after one bite.

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

