

JAN 20 2017

---

---

# A BILL FOR AN ACT

RELATING TO THE HUMANE TREATMENT OF ANIMALS.

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

1           SECTION 1. Chapter 711, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§711-    Confinement of a dog by tethering; violation.

5           (1) Except as provided in subsections (2) and (3), a person  
6 commits the offense of confinement of a dog by tethering if the  
7 person intentionally, knowingly, or recklessly tethers, fastens,  
8 ties, or restrains a dog in a cruel or inhumane manner to a  
9 structure, pole, dog house, tree, fence, or other stationary  
10 object.

11           (2) A person may use a trolley system or a tether attached  
12 to a pulley in a cable run without violating this section if the  
13 following conditions are met:

14           (a) Only one dog shall be tethered to each cable run;  
15           (b) The tether or trolley system shall be designed for  
16           dogs and no logging chains shall be used;



- 1        (c) The tether shall not weigh more than one-eighth of the  
2                    body weight of the dog attached to the tether;
- 3        (d) The tether shall be attached to a properly fitting  
4                    collar or harness worn by the dog, with enough room  
5                    between the collar and the dog's throat through which  
6                    two adult fingers may fit; provided that a choke  
7                    collar and a pinch collar shall not be used to tether  
8                    a dog to a cable run;
- 9        (e) There shall be a swivel on at least one end of the  
10                   tether to minimize tangling of the tether;
- 11       (f) The tether and cable run must each be at least ten  
12                   feet in length and be mounted at least four feet but  
13                   not more than seven feet above ground level;
- 14       (g) The length of the tether from the cable run to the  
15                   dog's collar or harness shall:
- 16                   (i) Allow continuous access to clean water and  
17                   appropriate shelter at all times;
- 18       (ii) Be of sufficient length to allow the dog to  
19                   defecate away from itself;



1            (iii) Be of appropriate configuration to confine the  
2            dog to the owner's, guardian's, or keeper's  
3            property;

4            (iv) Prevent the tether from extending over an object  
5            to an edge that could result in injury to or  
6            strangulation of the dog; and

7            (v) Prevent the tether from becoming tangled with  
8            another object or animal; and

9            (h) The dog shall be attended to at least every twenty-  
10           four hours.

11           (3) This section shall not be construed to prohibit a  
12           person from using these restraints when walking a dog with a  
13           hand-held leash or while a dog is engaged in a supervised  
14           activity; including training, that is directly related to  
15           shepherding or herding livestock, or when reasonably necessary  
16           for the safety of the dog.

17           (4) Confinement of a dog by tethering shall be a  
18           violation; provided that any person convicted under this section  
19           shall be sentenced as follows:



# S.B. NO. 265

1        (a) For a first offense, by a fine of not less than \$50  
 2        and not more than \$150, without the possibility of  
 3        suspension; and

4        (b) For a second or subsequent offense, by a fine of not  
 5        less than \$200 and not more than \$500, without the  
 6        possibility of suspension."

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. New statutory material is underscored.

11       SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY: Will Eyo

Yvonne D. ...      Karl Rhoad

Michelle D. ...      J. L. ...

B

Paul E. ...



# S.B. NO. 265

**Report Title:**

Dogs; Tethering

**Description:**

Creates an offense of confinement of a dog by tethering under prescribed circumstances with certain exceptions and establishes mandatory fines.

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

