
A BILL FOR AN ACT

RELATING TO ANIMAL CRUELTY.

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

1 SECTION 1. Section 711-1109, Hawaii Revised Statutes, is
2 amended by amending subsections (1) and (2) to read as follows:

3 "(1) A person commits the offense of cruelty to animals in
4 the second degree if the person intentionally, knowingly, or
5 recklessly:

6 (a) Overdrives, overloads, tortures, torments, beats,
7 causes substantial bodily injury to, or starves any
8 animal, or causes the overdriving, overloading,
9 torture, torment, beating, or starving of any animal;

10 (b) Deprives a pet animal of necessary sustenance or
11 causes such deprivation;

12 (c) Mutilates, poisons, or kills without need any animal
13 other than insects, vermin, or other pests; provided
14 that the handling or extermination of any insect,
15 vermin, or other pest is conducted in accordance with
16 standard and acceptable pest control practices and all
17 applicable laws and regulations;



- 1 (d) Keeps, uses, or in any way is connected with or
2 interested in the management of, or receives money for
3 the admission of any person to, any place kept or used
4 for the purpose of fighting or baiting any bull, bear,
5 cock, or other animal, and includes every person who
6 encourages, aids, or assists therein, or who permits
7 or suffers any place to be so kept or used;
- 8 (e) Carries or causes to be carried, in or upon any
9 vehicle or other conveyance, any animal in a cruel or
10 inhumane manner;
- 11 (f) Confines or causes to be confined, in a kennel or
12 cage, any pet animal in a cruel or inhumane manner;
- 13 (g) Tethers, fastens, ties, or restrains a dog to a
14 doghouse, tree, fence, or any other stationary object
15 by means of a choke collar, pinch collar, or prong
16 collar; provided that a person is not prohibited from
17 using such restraints when walking a dog with a hand-
18 held leash or while a dog is engaged in a supervised
19 activity; [~~or~~]
- 20 (h) Uses a castration band to neuter a dog, cat, or other
21 pet animal, not including caged birds; provided that



1 for purposes of this paragraph, "castration band"
 2 means a rubber ring placed around the scrotum above
 3 the testes of an animal designed to cut off the blood
 4 supply to the testes and scrotum causing the tissue to
 5 shrivel and fall off; or

6 ~~[(h)]~~ (i) Assists another in the commission of any act
 7 specified in subsections (1)(a) through ~~[(1)(g)]~~ (1)(h).

8 (2) Subsection (1)(a), (b), (c), (e), (f), (g), ~~[and]~~ (h),
 9 and (i) shall not apply to:

- 10 (a) Accepted veterinary practices;
- 11 (b) Activities carried on for scientific research governed
 12 by standards of accepted educational or medicinal
 13 practices; or
- 14 (c) Pest control operations conducted pursuant to chapter
 15 149A by a pest control operator licensed pursuant to
 16 chapter 460J, if the pest control is performed under a
 17 written contract."

18 SECTION 2. Statutory material to be repealed is bracketed
 19 and stricken. New statutory material is underscored.

20 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Animal Cruelty; Castration Bands

Description:

Includes use of a castration band to inhumanely neuter a dog, cat, or other pet animal, excluding caged birds, under the offense of cruelty to animals in the second degree. (SD1)

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