
A BILL FOR AN ACT

RELATING TO ANIMAL CRUELTY.

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

1 SECTION 1. The legislature finds that animal cruelty
2 offenders are a threat to the health and safety of all members
3 of our communities, especially vulnerable populations. Recent
4 research has shown that animal cruelty is a predictive and
5 co-occurring crime with violence against humans, including
6 children, intimate partners, and the elderly. Psychological
7 studies show that seventy per cent of violent criminals began by
8 abusing animals. Children who witness animal abuse are also
9 more likely to abuse animals as teenagers and adults.

10 The legislature further finds that there has been a
11 significant increase in animal cruelty cases in Hawaii over the
12 past five years. According to the Honolulu police department,
13 there were seventy-three animal cruelty crimes in 2023 compared
14 to fifty-eight in 2018. In one incidence from April 2023, two
15 people were killed and three people were wounded in a shooting
16 after a cockfight in Maili. The prevalence of animal cruelty



1 crimes in the State and its correlation with other serious
2 violent crimes warrants increased penalties for offenders.

3 Accordingly, the purpose of this Act is to amend the
4 criminal penalties for various animal cruelty offenses by
5 increasing the category of offense.

6 SECTION 2. Section 711-1108.5, Hawaii Revised Statutes, is
7 amended by amending subsection (5) to read as follows:

8 "(5) Cruelty to animals in the first degree [~~is~~] shall be
9 a class [C] B felony. In addition to any fines and imprisonment
10 imposed under this section, any person convicted under this
11 section shall be prohibited from possessing or owning any pet
12 animal or equine animal for a minimum of five years from the
13 date of conviction."

14 SECTION 3. Section 711-1109, Hawaii Revised Statutes, is
15 amended by amending subsection (4) to read as follows:

16 "(4) Cruelty to animals in the second degree [~~is~~] shall be
17 a misdemeanor[~~,-except~~]; provided that if the offense involves
18 the death of the animal or ten or more pet animals in any one
19 instance, then cruelty to animals in the second degree [~~is~~]
20 shall be a class [C] B felony[~~-~~] and in addition to any fines
21 and imprisonment imposed under this section, any person



1 convicted under this section shall be prohibited from possessing
2 or owning any animal for a minimum of five years from the date
3 of conviction."

4 SECTION 4. Section 711-1109.3, Hawaii Revised Statutes, is
5 amended by amending subsection (4) to read as follows:

6 "(4) [~~Violation of this section~~] Cruelty to animals by
7 fighting dogs in the first degree shall be a class [B] A
8 felony."

9 SECTION 5. Section 711-1109.35, Hawaii Revised Statutes,
10 is amended by amending subsection (3) to read as follows:

11 "(3) Cruelty to animals by fighting dogs in the second
12 degree [~~is~~] shall be a class [C] B felony."

13 SECTION 6. Section 711-1109.37, Hawaii Revised Statutes,
14 is amended by amending subsection (4) to read as follows:

15 "(4) Cruelty to animals by trapping [~~is~~] shall be a
16 [~~misdemeanor~~] class C felony."

17 SECTION 7. Section 711-1109.4, Hawaii Revised Statutes, is
18 amended by amending subsection (3) to read as follows:

19 "(3) Any person who commits the offense of causing injury
20 or death to a service animal or law enforcement animal shall be
21 guilty of a class [C] B felony."



1 SECTION 8. Section 711-1109.7, Hawaii Revised Statutes, is
2 amended by amending subsections (2) and (3) to read as follows:

3 "(2) Any person who violates subsection (1) shall be
4 guilty of a [~~petty~~] misdemeanor and subject to a fine not
5 exceeding [~~\$1,000~~] \$2,000 in addition to any other penalties.

6 (3) Any person who violates subsection (1) and recklessly
7 causes the death of or substantial bodily injury to the pet
8 animal or equine animal shall be guilty of a [~~misdemeanor~~] class
9 C felony and subject to a fine not exceeding [~~\$2,000~~] \$10,000 in
10 addition to any other penalties."

11 SECTION 9. Section 711-1109.8, Hawaii Revised Statutes, is
12 amended by amending subsection (3) to read as follows:

13 "(3) Unless otherwise provided by any other law:

14 (a) Sexual assault of an animal [~~is~~] shall be a
15 [~~misdemeanor~~] class C felony for the first offense and
16 a class [~~C~~] B felony for the second or subsequent
17 offense; or

18 (b) If the offense subjected a minor to sexual contact
19 with an animal or was committed in the presence of a
20 minor as defined in section 706-606.4, sexual assault
21 of an animal [~~is~~] shall be a class [B] A felony."



1 SECTION 10. This Act does not affect rights and duties
2 that matured, penalties that were incurred, and proceedings that
3 were begun before its effective date.

4 SECTION 11. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 12. This Act shall take effect on July 1, 3000.



Report Title:

Animal Cruelty; Penalties

Description:

Amends the criminal penalties for various animal cruelty offenses by increasing the category of offense. Effective 7/1/3000. (HD1)

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

