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# 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 [E] 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~~] class C felony; provided that if the  
18 offense involves ten or more pet animals in any one instance,  
19 then cruelty to animals in the second degree [~~is~~] shall be a  
20 class [E] B felony."



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

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

6 SECTION 5. Section 711-1109.4, Hawaii Revised Statutes, is  
7 amended by amending subsection (3) to read as follows:

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

11 SECTION 6. Section 711-1109.5, Hawaii Revised Statutes, is  
12 amended by amending subsection (3) to read as follows:

13 "(3) Intentional interference with the use of a service  
14 animal or law enforcement animal [~~is~~] shall be a [~~misdemeanor~~]  
15 class C felony."

16 SECTION 7. Section 711-1109.7, Hawaii Revised Statutes, is  
17 amended by amending subsections (2) and (3) to read as follows:

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



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

6           SECTION 8. Section 711-1109.8, Hawaii Revised Statutes, is  
7 amended by amending subsection (3) to read as follows:

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

9           (a) Sexual assault of an animal [~~is~~] shall be a  
10            [~~misdemeanor~~] class C felony for the first offense and  
11            a class [~~C~~] B felony for the second or subsequent  
12            offense; or

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

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

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



1 SECTION 10. Section 711-1109.37, Hawaii Revised Statutes,  
2 is amended by amending subsection (4) to read as follows:

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

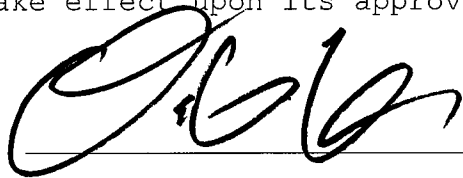
5 SECTION 11. This Act does not affect rights and duties  
6 that matured, penalties that were incurred, and proceedings that  
7 were begun before its effective date.

8 SECTION 12. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 13. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_



JAN 16 2024



# H.B. NO. 1580

**Report Title:**

Animal Cruelty; Penalties

**Description:**

Amends the criminal penalties for various animal cruelty offenses by increasing the category of offense.

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

2024-0064 HB HMSO-1

