
A BILL FOR AN ACT

RELATING TO ANIMALS.

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

1 SECTION 1. The legislature finds that the State's pet
2 overpopulation issue must be addressed. Every year, thousands
3 of unwanted animals arrive at state animal shelters and rescue
4 organizations. The Hawaiian Humane Society alone receives
5 approximately four thousand unwanted dogs and puppies each year.
6 Sadly, this is a national trend - approximately two million
7 homeless pets are euthanized in the United States every year.

8 The legislature further finds that animals sold in pet
9 stores are often obtained from unregulated commercial breeders
10 who do not provide sanitary and humane living conditions for the
11 animals. Additionally, many of the puppies sold in pet stores
12 are obtained from mass breeding operations known as puppy mills.
13 In Hawaii, these puppy mills are often hidden from public view
14 on lands that are designated for agricultural use and exempt
15 from a law that limits dog ownership to a maximum of ten dogs.

16 The legislature also finds that there are responsible and
17 ethical breeders who only sell animals directly to private



1 individuals. These breeders often spend more time and resources
2 on their animals than other breeders, and they play an important
3 role in maintaining healthy lines for purebred animals.

4 Therefore, it is not the legislature's intent that this Act
5 impact these ethical and responsible breeders.

6 The purpose of this Act is to encourage animal adoption by
7 prohibiting pet stores from selling dogs, cats, and rabbits
8 unless the animal was obtained from certain humane sources.

9 SECTION 2. Chapter 142, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§142- Sales of dogs, cats, and rabbits in pet stores.

13 (a) A pet store operator shall not sell a live dog, cat, or
14 rabbit in a pet store unless the dog, cat, or rabbit was
15 obtained from:

16 (1) An animal control officer;

17 (2) A duly incorporated humane society;

18 (3) A duly incorporated society for the prevention of
19 cruelty to animals; or

20 (4) A rescue group that is in a cooperative agreement with
21 at least one of the following:



1 (A) A governmental entity; or

2 (B) Any person or entity meeting the description
3 under paragraph (1), (2), or (3).

4 (b) Each pet store operator shall maintain records
5 sufficient to document the source of each dog, cat, or rabbit
6 obtained by the pet store for at least one year following the
7 date that the pet store obtained the animal.

8 (c) Each pet store operator shall post, in a conspicuous
9 location on the cage or enclosure of each dog, cat, or rabbit
10 offered for sale, a sign displaying the name and address of the
11 person or entity listed under subsection (a)(1) through (4) from
12 which the pet store obtained the dog, cat, or rabbit.

13 (d) A pet store operator that violates this section shall
14 be subject to a civil penalty of \$500. Each animal offered for
15 sale in violation of this section shall constitute a separate
16 offense.

17 (e) Upon request from the department, a pet store operator
18 engaged in the sale of dogs, cats, or rabbits shall provide the
19 records maintained under subsection (b).

20 (f) The department may adopt rules pursuant to chapter 91
21 necessary to carry out the purposes of this section.



1 (g) For purposes of this section:

2 "Pet store operator" means the owner of a place or premise
3 where birds, mammals, or reptiles are kept for the purpose of
4 offering the animals for sale.

5 "Rescue group" means an organization that is tax exempt
6 under section 501(c)(3) of the Internal Revenue Code and that
7 does not obtain animals from breeders or brokers for
8 compensation."

9 "Sale" includes wholesale and retail transactions involving
10 animals; the import or export, or both, of animals; and the
11 disposition of animals by barter, gift, or exchange."

12 SECTION 3. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 4. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

Disahtitagon
JAN 23 2023



H.B. NO. 849

Report Title:

Pet Store Operator; Dogs; Cats; Rabbits; Limitations on Sale

Description:

Prohibits a pet store operator from selling a dog, cat, or rabbit unless the dog, cat, or rabbit was obtained from certain humane sources.

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