
A BILL FOR AN ACT

RELATING TO PET SALES.

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

1 SECTION 1. The legislature finds that despite the high
2 popularity of pets in the State, there are no regulations of
3 retail pet businesses, placing consumers at risk of purchasing
4 sick pets, including pets that may carry diseases that are
5 transmissible to people and other pets. The lack of regulation
6 makes the State an outlier compared to the rest of the country,
7 as thirty-three states license commercial pet breeders, thirty-
8 one states set minimum standards of care for breeders, and
9 thirty states regulate the sale of puppies by pet stores.

10 In some instances, pet animals sold in pet stores are
11 obtained from large-scale commercial breeders, also known as
12 puppy mills, that do not provide sanitary or humane living
13 conditions for their animals. Presently, puppy mills are not
14 regulated in the State, exposing animals to the risk of being
15 raised in dangerous conditions. Some puppy mills are hidden
16 from public view, leaving many prospective owners unaware of the
17 animals' living conditions, and there are no existing laws that



1 require regular inspections of puppy mills. Additionally, some
2 animals enter the State from countries exempt from quarantine
3 restrictions, preventing any oversight.

4 The legislature further finds that there are responsible
5 and ethical breeders who sell their animals directly to the
6 public. Some breeders offer a transparent process to
7 prospective pet owners, who are invited to visit and observe
8 where and how the animals are bred and raised. Creating a
9 transparent process not only ensures appropriate care and safety
10 of pet animals, but also creates consumer protections for
11 prospective owners.

12 Accordingly, the purpose of this Act is to:

- 13 (1) Require retail stores that sell pet animals to:
- 14 (A) Maintain records regarding the source and medical
15 history of animals sold; and
- 16 (B) Provide records to pet purchasers, subject to the
17 discretion of the retail pet store;
- 18 (2) Impose penalties for violations; and
- 19 (3) Authorize retail pet stores to showcase pet animals
20 owned by a nonprofit animal welfare organization.



1 SECTION 2. Chapter 143, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§143- Retail sales of pet animals; documentation. (a)

5 A retail pet store shall maintain records sufficient to document
6 the source and medical history of each pet animal obtained by
7 the store for at least three years following the date the store
8 obtained the pet animal. This documentation shall contain:

9 (1) The name and business or residence address of the
10 breeder or broker, or both;

11 (2) A description of the pet animal, including species,
12 age, gender, coat type, color, and breed or breeds, if
13 known;

14 (3) A copy of records containing information regarding the
15 pet animal's microchip, vaccinations, medical
16 diagnoses, medications, surgical treatments, and
17 medications administered to the pet animal before
18 transfer or sale to the retail pet store and while
19 owned by the pet store; and

20 (4) One or more separate photographs of each pet animal
21 obtained or purchased by the retail pet store.



1 (b) The retail pet store shall require the breeder or
2 broker, or both, to verify their identity by presenting:

3 (1) A general excise tax license or business license and a
4 certificate of good standing issued by the department
5 of commerce and consumer affairs; and

6 (2) A valid photo identification card issued by a federal
7 or state government agency authorized to issue valid
8 identification.

9 (c) A retail pet store may provide the records required by
10 subsection (a) pertinent to a pet animal to the purchaser of
11 that pet animal before any sale is finalized.

12 (d) Any person who violates this section shall be subject
13 to a fine of not less than \$1,000 and shall be prohibited from
14 selling pet animals for a period of at least one year.

15 (e) Nothing in this section shall prohibit a retail pet
16 store from showcasing dogs or cats owned by a nonprofit animal
17 welfare organization.

18 (f) For the purposes of this section:

19 "Breeder" means a person who breeds pet animals.

20 "Broker" means a person who resells pet animals from
21 breeders to retail pet stores.



1 "Pet animal" has the same meaning as defined in section
2 711-1100.

3 "Retail pet store" means a commercial establishment that
4 engages in a for-profit business of selling at retail pet
5 animals to the public."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2040.



Report Title:

Pet Sales; Pet Animals; Documentation; Animal Control; Consumer Protection

Description:

Requires retail pet stores to maintain records regarding the source and medical history of animals sold and provide records to pet purchasers, subject to the discretion of the retail pet store. Establishes penalties. Authorizes retail pet stores to showcase pet animals owned by a nonprofit animal welfare organization. Takes effect 7/1/2040. (SD2)

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