

JAN 19 2023

---

---

# A BILL FOR AN ACT

RELATING TO DOGS.

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

1           SECTION 1. Section 142-74, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "**§142-74 Liability of dog owner; penalty.** (a) If any  
4 dog, while on private property without the consent of the owner  
5 of that property, injures or destroys any sheep, cattle, goat,  
6 hog, fowl, or other property belonging to any person other than  
7 the owner of the dog, the owner of the dog shall be liable in  
8 damages to the person injured for the value of the property so  
9 injured or destroyed. The owner of the dog shall confine or  
10 destroy the dog, and if the owner of the dog neglects or refuses  
11 to do so, the owner of the dog, in the event of any further  
12 damage being done to the person or property of any person by the  
13 dog, in addition to paying the person injured for the damage,  
14 shall pay the costs of the trial together with the penalty  
15 imposed under section 142-12, and it shall be lawful for any  
16 other person to destroy the dog.



1        (b) Any person violating subsection (a) shall be fined not  
 2 less than \$1,000 in addition to the penalties imposed under  
 3 subsection (a); provided that the dog was on private property  
 4 zoned for agricultural use when the violation occurred.

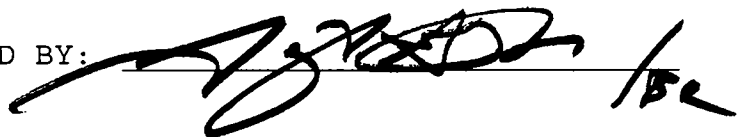
5        [~~(b)~~] (c) Each county may enact and enforce ordinances  
 6 regulating persons who own, harbor, or keep any dog that has  
 7 injured, maimed, or destroyed an animal belonging to another  
 8 person. No ordinance enacted under this subsection shall be  
 9 held invalid on the ground that it covers any subject or matter  
 10 embraced within any statute or rule of the State; provided that  
 11 the ordinance shall not affect the civil liability of a person  
 12 owning, harboring, or keeping the dog. Upon enactment of an  
 13 ordinance, whether enacted on, before, or after June 30, 2001,  
 14 the ordinance shall have full force and effect; provided that  
 15 the ordinance is consistent with this section."

16        SECTION 2. Statutory material to be repealed is bracketed  
 17 and stricken. New statutory material is underscored.

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

19

INTRODUCED BY:



A large, stylized handwritten signature in black ink, appearing to be 'J. [unclear] Be', is written over a horizontal line.



# S.B. NO. 316

**Report Title:**

Dogs; Agricultural Land; Liability; Penalty

**Description:**

Establishes additional penalties for dog owners whose dog destroys property while on land zoned for agricultural use.

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

