
A BILL FOR AN ACT

RELATING TO ANIMAL CONTROL.

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

1 SECTION 1. Chapter 36, Hawaii Revised Statutes, is amended
2 by adding a new section to part I to be appropriately designated
3 and to read as follows:

4 "§36- Spay and neuter special fund. (a) There is
5 established in the state treasury the spay and neuter special
6 fund, to be administered by the department of budget and
7 finance. Moneys received by the department of budget and
8 finance from:

9 (1) State income tax refund designations to the special
10 fund pursuant to section 235- ;

11 (2) Fees collected pursuant to section 143- (d)(1); and

12 (3) Legislative appropriations, private gifts or
13 donations, and other sources,

14 shall be deposited into the special fund. All interest earned
15 or accrued on moneys deposited into the special fund shall
16 become part of the special fund.



1 (b) Moneys in the special fund shall be expended to reduce
2 pet overpopulation, including the free-roaming cat population,
3 by providing spaying and neutering surgery and associated
4 veterinary care; provided that spayed or neutered animals are
5 not re-released into the environment and the uses and
6 expenditures of moneys in the special fund shall follow the
7 eligibility criteria established by the advisory committee
8 established under subsection (c).

9 (c) There is established within the department of budget
10 and finance an advisory committee to assist the department of
11 budget and finance in establishing the eligibility criteria and
12 procedures for disbursements from the special fund.

13 The advisory committee shall consist of seven members to be
14 selected by the director of finance and shall include the
15 following:

- 16 (1) One representative of the department of budget and
17 finance;
18 (2) One representative of the department of health;
19 (3) One representative of the department of land and
20 natural resources;



1 (4) One representative of the Hawaii Animal Welfare
2 Association or its successor organization, who shall
3 be invited to participate;

4 (5) At least one representative of the Hawaii Veterinary
5 Medical Association, who shall be invited to
6 participate; and

7 (6) At least one member from a Hawaii-based, private, non-
8 profit animal-welfare organization, who shall be
9 invited to participate.

10 The advisory committee shall select a chairperson from
11 among its members. All members of the advisory committee shall
12 be residents of the State and shall serve three-year terms. All
13 members shall have an active interest in humanely reducing pet
14 overpopulation and reducing the number of free-roaming cats in
15 the State.

16 (d) The advisory committee shall submit an annual report
17 to the director of finance, in a form prescribed by the
18 director, that identifies the total amount of funds that were
19 disbursed from the special fund during the previous fiscal year
20 and the amount of funds to be carried over to the next fiscal
21 year. The advisory committee shall submit the report to the



1 director of finance within ninety days after the close of each
2 fiscal year.

3 (e) The members of the advisory committee shall serve
4 without compensation but shall be reimbursed for their actual
5 and necessary expenses, including travel expenses, incurred in
6 carrying out their duties."

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

10 "§143- **Cat sterilization; breeding cat permit;**
11 **requirements.** (a) It shall be unlawful for any person to own:

12 (1) A female cat over the age of three months, unless the
13 cat is surgically sterilized; or

14 (2) A male cat over the age of five months, unless the cat
15 is surgically sterilized.

16 (b) A cat may be exempted from the sterilization
17 requirement under subsection (a) if:

18 (1) A duly licensed veterinarian certifies in writing that
19 the cat is not suitable for sterilization due to
20 health or age considerations; provided that the
21 certification shall be applicable for a period of up



1 to one year, as specified in writing by the
2 veterinarian, and contain the veterinarian's license
3 number;

4 (2) Arrangements have been made to sterilize the cat
5 within sixty days after the date the person assumes
6 ownership over the cat and the cat is sterilized in
7 that sixty-day period; or

8 (3) A breeding cat permit is obtained in accordance with
9 this section.

10 (c) Each county animal control authority may administer
11 and enforce a permit program to allow the responsible breeding
12 of cats consistent with local ordinances and the minimum
13 requirements identified in this section. A breeding cat permit
14 program administered pursuant to this section shall, at a
15 minimum:

16 (1) Prohibit the sale or adoption of any offspring of a
17 breeding cat until the offspring has:

18 (A) Reached the age of at least eight weeks; and

19 (B) Been immunized against common diseases by a
20 licensed veterinarian;



1 provided that the surrender of any offspring of a
2 breeding cat to an animal control authority shall be
3 prohibited until the offspring has reached the age of
4 at least eight weeks;

5 (2) Require any permit holder advertising to the public
6 the availability of any cat for adoption or sale to:

7 (A) Prominently display the permit number in any
8 publications in which the permit holder
9 advertises; and

10 (B) Provide the permit number to any person adopting
11 or purchasing any cat bred by the permit holder;
12 and

13 (3) Require one permit per breeding cat.

14 (d) To obtain a breeding cat permit pursuant to this
15 section, an applicant shall, at a minimum:

16 (1) Pay an annual fee of \$250 per breeding cat, to be
17 retained by the animal control authority; and

18 (2) Provide proof to the appropriate animal control
19 authority administering the permit program that:

20 (A) The breeding cat covered by the permit:



- 1 (i) Is implanted with a microchip, in accordance
2 with section 143-2;
- 3 (ii) Is fully contained on the owner's property
4 or under a person's direct control, such as
5 by leash, if off the owner's property;
- 6 (iii) Is not genetically similar to any cat with
7 which the breeding cat is being bred;
- 8 (iv) Is up-to-date on prophylactic health care,
9 including core cat vaccines;
- 10 (v) Has tested negative for feline leukemia
11 virus and feline immunodeficiency virus;
- 12 (vi) Is at least eighteen months of age and less
13 than seven years of age; and
- 14 (vii) For a female cat, has had no more than one
15 litter a year and had no more than three
16 litters in its lifetime; and
- 17 (B) The applicant does not use a third party for sale
18 or transfer of cats.
- 19 (e) No person convicted of cruelty to animals under
20 section 711-1108.5, 711-1109, or 711-1109.37 shall be issued a
21 breeding cat permit under this section.



1 (f) Any person violating this section shall be fined no
2 less than \$500 and no more than \$1,000 per violation per cat.

3 (g) This section shall not apply to cats brought into the
4 State exclusively for the purpose of entering them in a cat show
5 or exhibition and not allowed to run at large."

6 SECTION 3. Chapter 235, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§235- **Income check-off authorized; spaying and**
10 **neutering of animals.** Notwithstanding any law to the contrary,
11 any individual whose state income tax refund for any taxable
12 year is \$5 or more may designate \$5 of the refund to be
13 deposited into the spay and neuter special fund established by
14 section 143-B, when submitting a state income tax return to the
15 department. In the case of a joint return of a married couple
16 having a state income tax refund of \$10 or more, each spouse may
17 designate that \$5 be deposited into the special fund. The
18 director of taxation shall revise the individual state income
19 tax form to allow the designation of contributions to the fund
20 on the face of the tax return and immediately above the
21 signature lines. If no designation was made on the original tax



1 return when filed, a designation may be made by the individual
2 on an amended return filed within twenty months and ten days
3 after the due date for the original return for that taxable
4 year. A designation once made, whether by an original or
5 amended return, shall not be revoked."

6 SECTION 4. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$ or so
8 much thereof as may be necessary for fiscal year 2025-2026 and
9 the same sum or so much thereof as may be necessary for fiscal
10 year 2026-2027 to be deposited into the spay and neuter special
11 fund established by section 36- , Hawaii Revised Statutes.

12 SECTION 5. There is appropriated out of the spay and
13 neuter special fund established by section 36- , Hawaii
14 Revised Statutes, the sum of \$ or so much thereof as
15 may be necessary for fiscal year 2025-2026 and the same sum or
16 so much thereof as may be necessary for fiscal year 2026-2027 to
17 reduce pet overpopulation, including the free-roaming cat
18 population, by providing spaying and neutering surgery and
19 associated veterinary care.

20 The sums appropriated shall be expended by the department
21 of budget and finance for the purposes of this Act.



1 SECTION 6. New statutory material is underscored.

2 SECTION 7. This Act shall take effect on July 1, 3000;

3 provided that:

4 (1) Section 3 of this Act shall apply to taxable years
5 beginning after December 31, 2025; and

6 (2) Sections 4 and 5 of this Act shall take effect on July
7 1, 2025.



Report Title:

Spay and Neuter Special Fund; Cat Sterilization; Breeding Cat Permit; Requirements; Counties; Animal Control; Income Check-off; Appropriation

Description:

Establishes the Spay and Neuter Special Fund to reduce pet overpopulation, including the free-roaming cat population, and authorizes an income tax designation to provide revenues into the special fund. Requires that female cats over the age of three months and male cats over the age of five months be surgically sterilized, with certain exceptions. Authorizes county animal control authorities to establish and enforce a permit program to allow the responsible breeding of cats. Establishes minimum requirements for breeding permits and penalties. Appropriates funds. Effective 7/1/3000. Applies to taxable years after 12/31/2025. (HD1)

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

