
A BILL FOR AN ACT

RELATING TO FERAL CHICKENS.

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

SECTION 1. Section 142-93.5, Hawaii Revised Statutes, is amended to read as follows:

"[~~§~~142-93.5~~]~~ Mongoose; feral chickens; killing allowed. (a) No person shall be prohibited from killing a mongoose or a feral chicken in any manner not prohibited by law, including by trapping.

(b) Nothing in this section shall be construed to:

(1) Permit animal fighting or cockfighting; or

(2) Permit the use of torture, starvation, immolation, or beating.

(c) As used in the section "feral chicken" means a chicken that is living in a wild and unconfined state."

SECTION 2. Section 183D-1, Hawaii Revised Statutes, is amended by amending the definition of "wild birds" to read as follows:

"Wild birds" means birds, other than game birds, living in a wild and undomesticated state, and the young and eggs of those



1 birds. "Wild birds" does not include feral chickens as defined
2 in section 142-93.5."

3 SECTION 3. Section 711-1109, Hawaii Revised Statutes, is
4 amended by amending subsection (1) to read as follows:

5 "(1) A person commits the offense of cruelty to animals in
6 the second degree if the person intentionally, knowingly, or
7 recklessly:

8 (a) Overdrives, overloads, tortures, torments, beats,
9 causes substantial bodily injury to, or starves any
10 animal, or causes the overdriving, overloading,
11 torture, torment, beating, or starving of any animal;

12 (b) Deprives a pet animal of necessary sustenance or
13 causes that deprivation;

14 (c) Mutilates, poisons, or kills without need any animal
15 other than insects, vermin, or other pests; provided
16 that the handling or extermination of any insect,
17 vermin, or other pest is conducted in accordance with
18 standard and acceptable pest control practices and all
19 applicable laws and regulations; provided further that
20 this paragraph shall not apply to acts performed in
21 accordance with section 142-93.5(a);



1 (d) Keeps, uses, or in any way is connected with or
2 interested in the management of, or receives money for
3 the admission of any person to, any place kept or used
4 for the purpose of fighting or baiting any bull, bear,
5 cock, or other animal, and includes every person who
6 encourages, aids, or assists therein, or who permits
7 or suffers any place to be so kept or used;

8 (e) Carries or causes to be carried, in or upon any
9 vehicle or other conveyance, any animal in a cruel or
10 inhumane manner;

11 (f) Confines or causes to be confined, in a kennel or
12 cage, any pet animal in a cruel or inhumane manner;

13 (g) Tethers, fastens, ties, or restrains a dog to a
14 doghouse, tree, fence, or any other stationary object,
15 or uses a trolley, trolley with swivels, pulley,
16 cable, running line, or trolley lacking swivels at
17 each end that is designed to attach a dog to two
18 stationary objects in a configuration that endangers
19 the dog, including preventing the dog from obtaining
20 necessary sustenance;



(h) Tethers or restrains a dog under the age of six months unless the dog is engaged in an activity supervised by its owner or an agent of its owner;

(i) Tethers or restrains a dog by a tow or log chain;

(j) Tethers or restrains by means of choke collar, pinch collar, or prong collar unless the dog is engaged in an activity supervised by its owner or an agent of its owner; or

(k) Assists another in the commission of any act specified in paragraphs (a) through (j).

(2) Subsection (1)(a), (b), (c), (e), (f), (g), and (h) shall not apply to:

(a) Accepted veterinary practices;

(b) Activities carried on for scientific research governed by standards of accepted educational or medicinal practices; or

(c) Pest control operations conducted pursuant to chapter 149A by a pest control operator licensed pursuant to chapter 460J, if the pest control is performed under a written contract.



1 (3) Whenever any animal is so severely injured that there
2 is no reasonable probability that its life or usefulness can be
3 saved, the animal may be immediately destroyed without creating
4 any offense under this section.

5 (4) Cruelty to animals in the second degree is a
6 misdemeanor, except that if the offense involves ten or more pet
7 animals in any one instance, then cruelty to animals in the
8 second degree is a class C felony."

9 SECTION 4. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.

15
INTRODUCED BY:



JAN 23 2026



Report Title:

Feral Chickens; Killing; Wild Birds; Animal Cruelty; Exemption

Description:

Allows the killing of feral chickens. Exempts feral chickens from definition of "wild birds". Exempts killing of feral chickens from the offense of cruelty to animals.

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