

JAN 23 2026

A BILL FOR AN ACT

RELATING TO DOG ATTACKS.

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

1 SECTION 1. The legislature finds that livestock production
2 is an important contributor to the State's economy, food
3 security, and land stewardship. Livestock producers responsibly
4 manage their animals through fencing and low-stress handling
5 techniques to ensure their health and well-being.

6 The legislature further finds that uncontrolled dogs often
7 harass, injure, or kill livestock, causing significant losses.
8 Livestock producers experience severe financial and emotional
9 impacts from dog attacks, as a single attack can result in the
10 loss of up to eighty animals.

11 The legislature also finds that California addresses dog
12 attacks on livestock through strict liability provisions under
13 the California Food and Agricultural Code, which may serve as a
14 model for Hawaii.

15 The purpose of this Act is to increase penalties and
16 enforcement mechanisms relating to dog attacks on livestock to
17 ensure dog owners maintain control of their animals and are held



1 accountable when attacks occur. Authorizing the destruction of
2 dogs that harass livestock is consistent with existing law,
3 which provides similar protections for wildlife.

4 SECTION 2. Section 142-33, Hawaii Revised Statutes, is
5 amended by amending subsection (b) to read as follows:

6 "(b) For the purposes of this section, "habitual
7 agricultural crime perpetrator" means a person [~~who~~]:

8 (1) Who, within five years of the instant offense, has any
9 combination of three or more prior convictions for
10 criminal offenses under this chapter or one or more
11 prior convictions under this section[~~-~~]; or

12 (2) Who has been found liable four or more times under
13 section 142-74; provided that each liability finding
14 shall be a final judgment entered by a court of
15 competent jurisdiction.

16 The convictions or liability findings shall be for separate
17 incidents on separate dates. The prosecution shall not be
18 required to prove any state of mind with respect to the person's
19 status as a habitual agricultural crime perpetrator. Proof that
20 the person has the requisite minimum prior convictions or



1 liability findings shall be sufficient to establish this
2 element."

3 SECTION 3. Section 142-74, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~§142-74 [Liability of dog owner; penalty.]~~ Damage to
6 livestock or other property by dogs; liability; penalties. (a)

7 If any dog, while on [~~private property~~] land or premises without
8 the consent of the owner or person in possession of that
9 [~~property,~~] land or premises, injures or destroys any [~~sheep,~~
10 ~~cattle, goat, hog, fowl,~~] livestock or other property belonging
11 to any person other than the owner [~~or~~] or person responsible
12 for the dog, the owner [~~or~~] or person responsible for the dog
13 shall be liable in damages to the person injured for twice the
14 value of the property so injured or destroyed. [~~The~~]

15 (b) Any person may destroy any dog in any of the following
16 cases:

17 (1) The dog is found in the act of injuring, destroying,
18 or persistently pursuing or harassing livestock on
19 land or premises not owned or possessed by the owner
20 of the dog; or



1 (2) The person has proof that conclusively shows that the
2 dog has been recently engaged in injuring or
3 destroying livestock on land or premises not owned or
4 possessed by the owner of the dog.

5 No civil or criminal action shall be maintained for destroying
6 any dog pursuant to this subsection.

7 (c) After any incident described in subsection (a), the
8 owner of the dog shall confine or destroy the dog~~[, and if]~~. If
9 the owner of the dog neglects or refuses to do so, and the dog
10 subsequently causes further damage to the person or property of
11 any person, 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 be guilty of a misdemeanor, be fined no less than \$1,000,
15 and pay the costs of the trial, and [it shall be lawful for any
16 ~~other person to destroy the dog.] the dog may be lawfully~~
17 destroyed by any person.

18 (d) If any person sustains any loss or damage to livestock
19 caused by a dog, or if any livestock is destroyed because the
20 livestock was injured or pursued by a dog, the person may file a



complaint in the district court of the circuit in which the loss or damage occurred. The complaint shall:

(1) Be in writing;

(2) Be signed by the complainant;

(3) State the date and location of the incident, a description of the damage, and the estimated value of the loss; and

(4) State, if known, the name of the person who owns or was in charge of the dog when the loss or damage was sustained.

(e) If the complaint identifies the person who owns or was responsible for the dog at the time of the damage, the judge shall forthwith issue a summons commanding that person to appear before the judge to show cause why the dog should not be destroyed. The summons shall:

(1) Set a return date no less than two days nor more than six days from the date of issuance; and

(2) Be served at least two days before the time of appearance.

Service may be made by any person over the age of eighteen or by registered mail to the last known address of the owner or person



1 responsible for the dog. Any expense related to the summons
2 shall be borne by the owner of the injured or destroyed
3 livestock.

4 (f) On the return day, the judge shall determine whether
5 the loss of or damage to livestock was caused by the dog. If
6 the judge finds that the loss or damage was caused by the dog,
7 the judge shall order the owner or person responsible for the
8 dog to surrender the dog within twenty-four hours to an animal
9 control officer for prompt destruction.

10 (g) If two or more dogs kept by two or more owners or
11 persons responsible for the dogs injure or destroy any livestock
12 at the same time, the owners or persons responsible for the dogs
13 shall be jointly and severally liable for the damage.

14 ~~[(b)]~~ (h) Each county may enact and enforce ordinances
15 regulating persons who own, harbor, or keep any dog that has
16 injured, maimed, or destroyed an animal belonging to another
17 person. No ordinance enacted under this subsection shall be
18 held invalid on the ground that it covers any subject or matter
19 embraced within any statute or rule of the State; provided that
20 the ordinance shall not affect the civil liability of a person
21 owning, harboring, or keeping the dog. Upon enactment of an



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ordinance, whether enacted on, before, or after June 30, 2001,
the ordinance shall have full force and effect; provided that
the ordinance is consistent with this section.

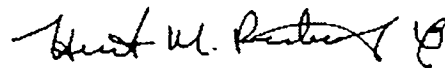
(i) For the purposes of this section, "livestock" means
animals raised for agricultural production or value, including
cattle, sheep, goats, swine, poultry, and other domesticated
farm animals."

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

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

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

INTRODUCED BY:





S.B. NO. 2742

Report Title:

Dog Attacks; Livestock; Liability

Description:

Clarifies owner liability and increases penalties and enforcement mechanisms for dog attacks on livestock.

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

