

---

---

# A BILL FOR AN ACT

RELATING TO FERAL ANIMALS.

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

1 PART I

2 SECTION 1. The legislature finds that the city and county  
3 of Honolulu currently regulates the keeping of chickens in urban  
4 Honolulu, including limits on the number of chickens or peafowl  
5 per household and land use standards that allow the accessory  
6 keeping of hens but not roosters. The legislature further finds  
7 that although existing animal nuisance provisions prohibit  
8 nuisance behavior by animals, including poultry, increasing  
9 feral chicken activity on public lands may contribute to public  
10 nuisance conditions, sanitation concerns, and impacts to public  
11 facilities and neighboring properties.

12 The purpose of this part is to strengthen and complement  
13 existing local rules in cities with a population of three  
14 hundred thousand or more by:

15 (1) Declaring feral chickens on public lands as a public  
16 nuisance and controllable pest for purposes of public



1 health, sanitation, and the safe use and enjoyment of  
2 public property;

3 (2) Prohibiting acts that support feral chickens on public  
4 lands, including feeding feral chickens; and

5 (3) Prohibiting abandoning, depositing, dumping,  
6 relocating, or releasing chickens on public lands or  
7 on private property without consent.

8 SECTION 2. The Hawaii Revised Statutes is amended by  
9 adding a new chapter to be appropriately designated and to read  
10 as follows:

11 "CHAPTER

12 FERAL CHICKENS

13 § -1 **Applicability.** This chapter shall apply to lands  
14 within any city with a population of three hundred thousand or  
15 more.

16 § -2 **Definitions.** As used in this chapter, unless the  
17 context clearly requires otherwise:

18 "Chicken" means any domestic fowl of the species *Gallus*  
19 *gallus domesticus*, including roosters and hens.

20 "Feral chicken" means a chicken that is free-roaming and  
21 not under the custody and control of an owner or keeper.



1 "Owner" includes any person who possesses, keeps, harbors,  
2 or exercises control over a chicken.

3 "Public land" means land owned, leased, managed, or  
4 controlled by the State or a city with a population of three  
5 hundred thousand or more.

6 § -3 **Feral chickens; pests; public lands.** (a) Feral  
7 chickens present on public lands shall be declared a public  
8 nuisance and controllable pest for purposes of public health,  
9 sanitation, and the safe use and enjoyment of public property.

10 (b) This designation is intended to support coordinated  
11 control and nuisance abatement and is consistent with the  
12 recognition that certain birds may be treated as pets for pest-  
13 control purposes.

14 § -4 **Prohibited acts on public lands; feeding and**  
15 **placement.** (a) Prohibited acts regarding feral chickens shall  
16 be:

- 17 (1) Feeding feral chickens on public land;
- 18 (2) Placing food or other attractants for feral chickens  
19 on public land;
- 20 (3) Intentionally abandoning, depositing, dumping,  
21 releasing, or relocating chickens onto:



1 (A) Public land; or  
 2 (B) Private property without the knowledge and  
 3 consent of the private property owner or lawful  
 4 occupant of the private property; and

5 (4) Creating or maintaining areas intended to attract or  
 6 allow the congregation of feral chickens on public  
 7 land.

8 (b) No person shall abandon, dump, release, or relocate  
 9 any chicken to evade a violation of the limits on household  
 10 chicken keeping established under county law or ordinance.

11 (c) This section is in addition to any other applicable  
 12 state law prohibiting animal desertion or cruelty.

13 (d) Any act described in subsection (a) that is performed  
 14 for research or rescue purposes shall be exempt from the  
 15 prohibitions in subsection (a); provided that the act was  
 16 approved by the State or city with jurisdiction before it was  
 17 performed.

18 § -5 **Enforcement; coordination.** (a) This chapter may  
 19 be enforced by:

20 (1) The department of land and natural resources with  
 21 respect to state public lands; and



1 (2) The police department of the city, through the  
2 department's authorized agencies, with respect to city  
3 public lands.

4 (b) The authorized enforcing agencies may coordinate with  
5 animal welfare partners and public health partners regarding  
6 complaint response, education, and humane handling of feral  
7 chickens.

8 § -6 Penalties. (a) A person who violates  
9 section -4 shall be subject to a civil fine of:

10 (1) No more than \$250 for a first violation or any  
11 violation occurring more than one year after a  
12 previous violation;

13 (2) No more than \$500 for a second violation occurring  
14 within one year of the previous violation; and

15 (3) No more than \$1,000 for a third or subsequent  
16 violation occurring within one year of two or more  
17 violations.

18 (b) Each day of a continued violation pursuant to this  
19 section shall constitute a distinct and separate violation  
20 subject to penalties.





1 SECTION 5. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 6. This Act shall take effect on July 1, 3000.



**Report Title:**

Department of Land and Natural Resources; Feral Chickens;  
Prohibition; Fines; Enforcement; Appropriation

**Description:**

Declares feral chickens on public lands as a public nuisance and controllable pest in a city with a population of three hundred thousand or more. Prohibits supporting feral chickens on public lands, including by feeding chickens. Prohibits the abandonment of chickens on public lands or on private property without consent. Establishes fines and authorized enforcing agencies. Appropriates funds for the receipt, handling, and humane disposition of feral chickens that have already been caught. Effective 7/1/3000. (HD2)

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

