
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 [~~se~~]
9 that was injured or destroyed. The owner of the dog shall
10 confine or destroy the dog, and if the owner of the dog neglects
11 or refuses to do so, the owner of the dog, in the event of any
12 further damage being done to [~~the~~] any person or property of any
13 person by the dog, in addition to paying the person injured for
14 the damage, shall pay the costs of the trial together with the
15 penalty imposed under section 142-12, and it shall be lawful for
16 any other person to destroy the dog.



1 (b) Any dog owner found liable under subsection (a) shall
2 be fined no less than \$1,000, in addition to the penalties
3 imposed under subsection (a), if 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. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



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



Report Title:

Dog Owner; Liability; Agricultural Land; Penalty

Description:

Establishes an additional penalty for a dog owner whose dog destroys property while on land zoned for agricultural use. Effective 7/1/3000. (HD1)

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