

ACT 262

H.B. NO. 401

A Bill for an Act Relating to Animals.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 711, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**"§711- Surrender or forfeiture of animals.** Upon conviction for any violation of section 711-1109 or 711-1109.3:

- (1) The court may order the defendant to surrender or forfeit the animal whose treatment was the basis of the conviction to the custody of a duly incorporated humane society or society for the prevention of cruelty to animals for such time and under such conditions as the court shall order.
- (2) The court also may order the defendant to surrender or forfeit any other animals under the possession, custody, or control of the defendant to the custody of a duly incorporated humane society or society for the prevention of cruelty to animals for such a time and under such conditions as the court shall order, if there is substantial evidence that such animals are being abused or neglected."

SECTION 2. This Act does not affect rights and duties which matured, penalties which were incurred, or proceedings which were begun prior to its effective date.

SECTION 3. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Approved June 5, 1985.)

**Note**

1. Edited pursuant to HRS §23G-16.5.