

ACT 63

H.B. NO. 1580

A Bill for an Act Relating to Plant and Non-domestic Animal Quarantine.

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

SECTION 1. Section 150A-2, Hawaii Revised Statutes, is amended by amending the definition of “animal” to read as follows:

““Animal” means any invertebrate or vertebrate species of the animal kingdom including but not limited to mammal, bird, fish, reptile, mollusk, crustacean, insect, mite, and nematode[, protozoan and other invertebrate], other than common domestic animal such as dog and cat.”

SECTION 2. Section 150A-6, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

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“(b) The board shall maintain:

- (1) A list of conditionally approved animals and microorganisms that require a permit for import into the State;
- (2) A list of restricted animals and microorganisms that require a permit for both import into the State and possession; and
- (3) A list of animals and microorganisms that are prohibited entry into the State.

Animals and microorganisms on the lists of conditionally approved and restricted animals and microorganisms shall be imported only by permit [issued pursuant to rules, and any violation of the conditions listed on the permit shall be a violation of this section]. Any animal or microorganism that is not on the lists of conditionally approved, restricted, or prohibited animals and microorganisms shall be prohibited until the board’s review and determination for placement on one of these lists; provided that the department may issue a special permit on a case by case basis for the importation and possession of an animal or a microorganism that is not on the lists of prohibited, restricted, or conditionally approved animals or microorganisms,¹ for the purpose of remediating medical emergencies or agricultural or ecological disasters, or conducting medical or scientific research in a manner that the animal or microorganism will not be detrimental to agriculture, the environment, or humans if the importer of the animal or microorganism can meet permit requirements consistent with Centers for Disease Control and National Institute of Health guidelines or other guidelines as determined by the board; and provided further that the department may issue a short-term special permit on a case by case basis not to exceed ninety days for the importation and possession of an animal that is not on the list of prohibited, restricted, or conditionally-approved animals for the purpose of filming, performance, or exhibition if the importer of the animal can meet permit and bonding requirements as determined by the board. All permits referenced in this section shall be issued pursuant to rules and any violation of the conditions listed on the permits shall be a violation of this section.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 23, 1997.)

Note

1. Comma should be underscored.