

**ACT 165**

S.B. NO. 2512

A Bill for an Act Relating to Animals.

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

SECTION 1. The legislature finds that thousands of animals, primarily dogs and cats, are deserted or abandoned across Hawaii every year, contributing to increased animal control costs, animal suffering and overpopulation, and euthanasia rates at local animal shelters. Abandoned animals are often subject to illness, injury, starvation, disease, attacks by other animals, and even human cruelty. Abandoned animals may also harm native wildlife. Weak penalties associated with Hawaii's current animal desertion statute have failed to adequately deter animal abandonment. Stronger penalties would encourage pet owners to work with local shelters and animal control contractors when a pet must be re-homed, strengthen pet retention and the human-animal bond, and protect pet owners and the animals themselves.

The purpose of this Act is to increase penalties for pet animal and equine animal desertion.

SECTION 2. Chapter 711, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§711- Pet animal or equine animal desertion.** (a) It shall be unlawful for the owner or any person in possession of any pet animal or equine animal to desert the pet animal or equine animal.

(b) Any person who violates subsection (a) shall be guilty of a petty misdemeanor and subject to a fine not exceeding \$1,000 in addition to any other penalties.

(c) Any person who violates subsection (a) and recklessly causes the death of or substantial bodily injury to the pet animal or equine animal shall be guilty of a misdemeanor and subject to a fine not exceeding \$2,000 in addition to any other penalties.

(d) Each pet animal or equine animal that is deserted in violation of subsection (a) or suffers death or substantial bodily injury as a result of a violation of subsection (a) shall constitute a separate offense.

(e) For the purposes of this section, “desert” means to leave without the intent to return.”

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

SECTION 4. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect upon its approval.

(Approved June 29, 2016.)

**Note**

1. Edited pursuant to HRS §23G-16.5.