

ACT 91

H.B. NO. 1086

A Bill for an Act Relating to Veterinarians.

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

SECTION 1. Chapter 471, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

**“§471- Exception to liability; emergency care; veterinarian-client-patient relationship.** (a) Any veterinarian duly licensed under this chapter who, in good faith, without remuneration or expectation of remuneration, renders emergency care to a sick or injured animal at large shall not be liable to the owner of that animal for any civil damages resulting from the veterinarian’s acts or omissions, except for damages as may result from the veterinarian’s gross negligence or wanton acts or omissions.

(b) A veterinarian duly licensed under this chapter may, in good faith, render necessary and prompt care and treatment to an animal patient without establishing a veterinarian-client-patient relationship if conditions do not allow the establishment of the relationship in a timely manner. A veterinarian who renders emergency treatment shall not be liable to the owner of the animal for any civil damages resulting from the veterinarian’s acts or omissions, except for damages as may result from the veterinarian’s gross negligence or wanton acts or omissions.

(c) A veterinarian acting under this section shall make an appropriate record including the basis for proceeding under this section.

**§471- Reporting; duty; dogfighting; animal cruelty; immunity from civil liability.** (a) Whenever any veterinarian duly licensed under this chapter has reasonable cause to believe that an animal has been injured or killed through participation in a staged animal fight, as prescribed in section 711-1109.3 or 711-1109.35, it shall be the duty of the veterinarian to promptly report the event to the appropriate law enforcement authorities of the county where the event occurred.

(b) Whenever any veterinarian duly licensed under this chapter has reasonable cause to believe an animal under the veterinarian's care has been a victim of animal cruelty, as prescribed in section 711-1108.5 or 711-1109, it shall be the duty of the veterinarian to promptly report the event to the appropriate law enforcement authorities of the county where the event occurred.

(c) No veterinarian duly licensed under this chapter shall incur any civil liability as a result of making any report pursuant to this section or as a result of making any report of a violation of section 711-1108.5, 711-1109, 711-1109.3, or 711-1109.35.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before 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 25, 2021.)

#### Note

1. Edited pursuant to HRS §23G-16.5