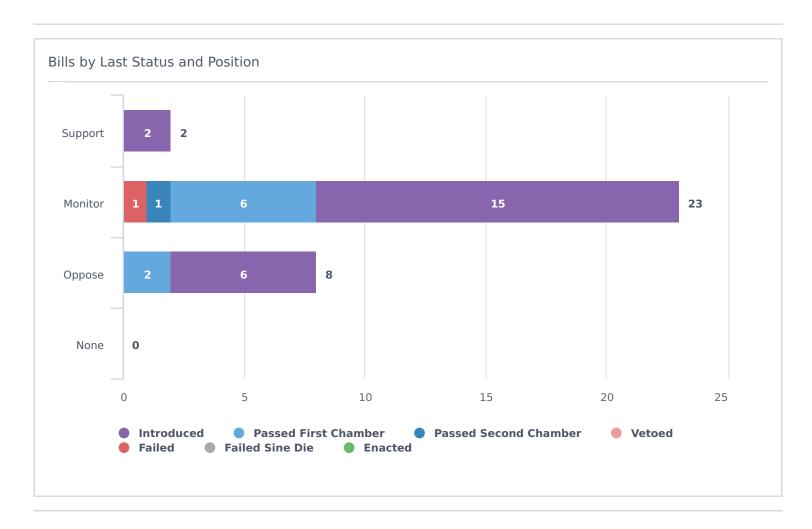


Hawaii - 2023-24 Legislative Overview

Last Updated: May 06, 2024



Bill State: HI (33)

Title

Relating To The Spaying And Neutering Of Animals.

Description

Establishes a Spay and Neuter Special Fund. Allows funds from an income tax check-off to be deposited into the Spay and Neuter Special Fund. Appropriates funds. Effective 6/30/3000. (HD1)

Primary Sponsors

Scott Nishimoto

Bill Summary: Last edited by Jeff Plummer at Jan 20, 2023, 3:02

Amends Chapter 143 (Animals: Licenses and Regulations) of Hawaii Revised Statutes by adding a new section establishing a spay and neuter special fund. Allows funds from an income tax check-off to be deposited into the special fund. Provides that moneys in the special fund shall be expended to reduce pet overpopulation and the reproduction of free-roaming cats by providing spaying and neutering surgery and associated veterinary care. Establishes an advisory committee to assist the Department of Budget and Finance in establishing the eligibility criteria and procedures for disbursements from the special fund.

Introduction Date: 2023-01-20

State

Bill Number HB 488

Last Action

Carried Over To 2024 Regular Session 2023 12 11

Status

In House

Title

Relating To Aquaculture.

Description

Establishes the aquacultural area lease program within the department of agriculture to identify state facilities, state lands, and state marine waters that are suitable for use and lease as commercial aquacultural areas. Allows agencies having control and management of identified aquacultural areas to lease the facilities, lands, and waters to the department of agriculture. Allows the program to use the moneys in the aquaculture development special fund and requires the revenues obtained from aquacultural area leases to be deposited into the aquaculture development special fund. Imposes penalties and civil and criminal liabilities. Exempts the aquacultural area lease program from the Hawaii ocean and submerged lands leasing act. Effective 7/1/3000. (HD1)

Primary Sponsors

Rachele Lamosao, Chris Todd

Bill Summary: Last edited by Jeff Plummer at Jan 23, 2023, 12:57

Amends Title 11 (Agriculture & Animals), Chapter 141 (Department of Agriculture) of Hawaii Revised Statutes by adding a new section to promote the State's economic development by establishing within the Department of Agriculture, an aquacultural area lease program for the purpose of identifying state facilities, state lands, and state marine waters that are suitable for use as commercial agricultural areas and leasing them to be used for aquaculture. Allows agencies having control and management of identified aquacultural areas to lease the facilities, lands, and waters to the Department of Agriculture for the purposes of the Act. Allows the program to use the moneys in the Aquaculture Development Special Fund to carry out the purposes of the Act and requires the revenues obtained from aquacultural area leases to be deposited into the special fund. Imposes penalties and civil and criminal liabilities. For purposes of this section: "Aquaculture" means the propagation, cultivation, or farming of aquatic plants and animals in controlled or selected environments for commercial purposes, including research, stocking, aquaponics, or any growing of plants or animals with aquaculture effluents.

Title

Relating To Aquaculture.

Description

Requires the animal industry division of the department of agriculture to administer an assessment and approval process to import and move aquatic livestock in the State. Allows the animal industry division to issue permits for such purposes. Requires the animal industry division to develop a risk-based framework for the aquatic livestock assessment and approval process and to undertake certain activities to develop and expand the aquaculture industry. Effective 7/1/3000. (HD1)

Primary Sponsors

Rachele Lamosao, Sean Quinlan, Chris Todd

Bill Summary: Last edited by Jeff Plummer at Jan 27, 2023, 2:44 PM

Amends Title 11 (Agriculture & Animals), Chapter 141 (Department of Agriculture) of HI Revised Statutes by adding a new Section 141-A (Aquatic livestock assessment and approval process) to provide that the Animal Industry Division shall administer an assessment and approval process to import and move aquatic livestock in the State. Provides that the process shall: (1) Be based on the framework maintained by the aquaculture program pursuant to section 141-52; and (2) Include pre-arrival disease-free verification, point-of-entry inspection, post-arrival inspection, and the quarantine of any aquatic animals, plants, and microorganisms, as necessary. Adds provision that the existing aquaculture program within the Department shall include: (1) Maintaining an aquatic biorisk-based framework for an assessment and approval process for aquatic livestock that categorizes aquatic livestock species based on the probability and consequence of the establishment of a feral population; and (2) Maintaining a biocontainment standards framework that certifies discrete levels of operational functions. For purposes of this section: "Aquatic biorisk" means the combination of the probability of occurrence of harm and the severity of that harm where the source of harm is an escaped aquatic livestock species. "Aquatic livestock" means various species of domestic and non-domestic fish, crustaceans, and mollusks that are propagated and raised for food, restorative activities, or similar commercial purposes. "Biocontainment" means the safety practices and procedures used to prevent unintended infection of animals from external pathogens or the release of high-consequence species or pathogens into the environment.

Bill Number HB 821 Last Action
Carried Over To 2024 Regular Session

2023 12 11

Status

In House

Title

Relating To The Sale Of Animals.

Description

Prohibits pet dealers and retail pet stores in the State from selling, offering to sell, leasing, offering to lease, bartering, auctioning, or otherwise transferring ownership of any dog, cat, or rabbit. Effective 1/1/2024.

Primary Sponsors

Sean Quinlan, Cedric Gates, Daniel Holt, Rachele Lamosao, Nicole Lowen, Chris Todd **Bill Summary:** Last edited by Jeff Plummer at Jan 24, 2023, 12:59 AM

Amends Title 11 (Agriculture & Animals), Chapter 142 (Animals, Brands & Fences) of Hawaii Revised Statutes by adding a new Section 142 (Sale of dogs, cats, and rabbits; prohibited) to prohibit the retail sale of dogs, cats, and rabbits by pet stores. Provides that no pet dealer or retail pet store in the State shall sell, offer to sell, lease, offer to lease, barter, auction, or otherwise transfer ownership of any dog, cat, or rabbit. Provides that this section shall not be construed to prohibit a pet dealer or retail pet store from collaborating with the following entities to provide space to showcase dogs, cats, or rabbits owned by these entities for the purpose of adoption: 1) Any duly incorporated society for the prevention of cruelty to animals; (2) Any duly incorporated humane society; (3) Any duly incorporated animal protective association; or 4) Any other duly incorporated animal adoption or animal rescue organization, provided that the entities are not affiliated with or located on the premises of a breeder or pet dealer; do not obtain dogs, cats, or rabbits from a breeder or pet dealer in exchange for payment or any form of compensation; and do not resell dogs, cats, or rabbits obtained from a breeder or pet dealer or provide payment or compensation to such breeder or pet dealer. For purposes of this section: "Animal" includes a dog, cat, or rabbit. "Breeder" means any person who breeds and sells or offers for sale 25 or more animals per year for profit. "Pet dealer" means any person who, in the ordinary course of business, sells or offers for sale more than 9 animals per year for profit to the public. "Pet dealer" includes a breeder but does not include a retail pet store. "Retail pet store" means any for profit place of business that sells or offers for sale animals to be kept as household pets, pet food, or pet supplies. "Retail pet store" does not include breeders who sell or offer to sell directly to the public animals that are born and raised on the breeder's residential premises.

Carried Over To 2024 Regular Session 2023 12 11

Status
In House

Title

Relating To Animals.

Description

Prohibits a pet store operator from selling a dog, cat, or rabbit unless the dog, cat, or rabbit was obtained from certain humane sources.

Primary Sponsors

Lisa Kitagawa, Sonny Ganaden, Cedric Gates, Troy Hashimoto, Daniel Holt, Nicole Lowen, Scot Matayoshi, Scott Nishimoto, Amy Perruso, David Tarnas **Bill Summary:** Last edited by Jeff Plummer at Jan 24, 2023, 1:28 PM

Amends Title 11 (Agriculture & Animals), Chapter 142 (Animals, Brands & Fences) of Hawaii Revised Statutes by adding a new Section 142 (Sale of dogs, cats, and rabbits; prohibited) to restrict the retail sale of dogs, cats, and rabbits by pet stores. Provides that a pet store operator shall not sell a live dog, cat, or rabbit in a pet store unless the dog, cat, or rabbit was obtained from: (1) An animal control officer; (2) A duly incorporated humane society; (3) A duly incorporated society for the prevention of cruelty to animals; or (4) A rescue group that is in a cooperative agreement with at least one of the following: (A) A governmental entity; or (B) Any person or entity meeting the description in paragraphs (1), (2), or (3). Provides that each pet store operator shall maintain records sufficient to document the source of each dog, cat, or rabbit obtained by the pet store for at least 1 year following the date that the pet store obtained the animal. Provides that each pet store operator shall post, in a conspicuous location on the cage or enclosure of each dog, cat, or rabbit offered for sale, a sign displaying the name and address of the person or entity listed under subsection (a)(1) through (4) from which the pet store obtained the dog, cat, or rabbit. Provides that a pet store operator that violates this section shall be subject to a civil penalty of \$500. Each animal offered for sale in violation of this section shall constitute a separate offense. For purposes of this section: "Pet store operator" means the owner of a place or premise where birds, mammals, or reptiles are kept for the purpose of offering the animals for sale. "Rescue group" means an organization that is tax exempt under section 501(c)(3) of the Internal Revenue Code and that does not obtain animals from breeders or brokers for compensation." "Sale" includes wholesale and retail transactions involving animals; the import or export, or both, of animals; and the disposition of animals by barter, gift, or exchange."

Introduction Date: 2023-01-25

State **HI** Bill Number HB 871

Last Action

Carried Over To 2024 Regular Session 2023 12 11

Status

In House

Title

Relating To Service Animals.

Description

Requires that a written disclaimer be provided by sellers or providers of emotional support animals or certificates or identification tags for emotional support animals that the animal is not a service animal or the item does not qualify as an item for a service animal. Establishes penalties. Effective 6/30/3000. (HD1)

Primary Sponsors

Gregg Takayama, Terez Amato, Elle Cochran, Sonny Ganaden, Cedric Gates, Troy Hashimoto, Daniel Holt, Natalia Hussey-Burdick, Linda Ichiyama, Jeanne Kapela, Lisa Kitagawa, Rachele Lamosao, Lisa Marten, Scot Matayoshi, Dee Morikawa, Richard Onishi, Amy Perruso, Sean Quinlan, Jenna Takenouchi **Bill Summary:** Last edited by Jeff Plummer at Jan 24, 2023, 7:33 PM

Amends Division 1 (Government), Title 20 (Social Services), Chapter 347 (Blind, Visually Handicapped and Other Disabled Persons) of Hawaii Revised Statutes by adding a new section to require that a disclaimer be provided by sellers or providers of emotional support animals or certificates, identifications, tags, vests, leashes, and harnesses for emotional support animals that the animal is not a service animal. Provides that a person or business that sells or provides an animal for use as an emotional support animal or a certificate, identification, tag, vest, leash, or harness for an emotional support animal shall provide written notice to the buyer or recipient of the animal that states the following: 1) The animal does not have the special training required to qualify as a service animal; 2) The animal is not entitled to the rights and privileges accorded by law to a service animal; and 3) Knowingly misrepresenting as a service animal any animal that does not meet the requirements of a service animal, as defined in section 347—2.5, is a violation of section 347—2.6. Establishes penalties for violations of this section.

Carried Over To 2024 Regular Session 2023 12 11

Status
In House

Title

Relating To Environmental Protection.

Description

Prohibits the harvesting of aquatic life for commercial aquarium purposes, regardless of the method of collection.

Primary Sponsors

Nicole Lowen, Terez Amato, Elle Cochran, Sonny Ganaden, Natalia Hussey-Burdick, Kirstin Kahaloa, Jeanne Kapela, Lisa Marten, Amy Perruso, Mahina Poepoe, Adrian Tam, Mizuno **Bill Summary:** Last edited by Jeff Plummer at Jan 24, 2023, 7:39

Amends Title 12 (Conservation & Resources), Subtitle 5 (Aquatic Resources & Wildlife), Chapter 189 (Commercial Fishing) of Hawaii Revised Statutes by adding a new section to prohibit all commercial capture of aquatic life for aquarium purposes, regardless of the method of collection. Provides that no person shall harvest aquatic life for commercial aquarium purposes. Provides that this section shall not apply to the issuance of a license or permit for activities permitted in sections 187A-3.5 (Aquaculturist license and license to sell prohibited aquatic life and 187A-6 (Special activity permits); provided that the requirements of those sections are met. For purposes of this section: "Aquarium purposes" means to hold salt water fish, freshwater nongame fish, or other aquatic life alive in a state of captivity as pets, for scientific study, for public exhibition or display, or for sale for these purposes. "Commercial" means to take aquatic life for profit or gain or where the aquatic life is sold, offered for sale, possessed with intent to sell, bartered, landed, or transported for sale.

Introduction Date: 2023-01-25

State **HI** Bill Number HB 1512

Last Action

Carried Over To 2024 Regular Session 2023 12 11

Status
In House

Title

Relating To Liability.

Description

Limits the civil liability of good Samaritans who render emergency nonmedical care and emergency nonmedical assistance to animals during an emergency. Effective 6/30/3000. (HD1)

Primary Sponsors

Scott Saiki

Bill Summary: Last edited by Jeff Plummer at Jan 26, 2023, 1:35 PM

Amends Division 4 (Courts & Judicial Proceedings), Title 36 (Civil Remedies and Defenses and Special Proceedings), Chapter 663 (Tort Actions), Part 1 (Liability; Survival of Actions) of Hawaii Revised Statutes by adding a new section to to limit the civil liability of good Samaritans who render emergency nonmedical care and emergency nonmedical assistance to animals during an emergency. Provides that any person who in good faith renders emergency nonmedical care or emergency nonmedical assistance, without renumeration or expectation of renumeration, at the scene of an emergency to an animal shall not be liable for any civil damages resulting from the person's acts or omissions, except for such damages as may result from the person's gross negligence or wanton acts or omissions. Provides that nothing in this section shall be construed to alter existing protections from liability for licensed professionals under any other law.

Carried Over To 2024 Regular Session 2023 12 11

In House

Status

Title

Relating To Unattended Animals In Motor Vehicles.

Description

Limits civil and criminal liability for persons who remove unattended animals from motor vehicles that are in physical danger if the actions are reasonable, in good faith, and in accordance with other requirements. Effective 6/30/3000. (HD1)

Primary Sponsors

Scott Saiki

Bill Summary: Last edited by Jeff Plummer at Jan 26, 2023, 1:39

Amends Division 1 (Government), Title 17 (Motor & Other Vehicles), Chapter 291C (Statewide Traffic Code) of Hawaii Revised Statutes by adding a new section (Unattended animals in motor vehicles; limitation of liability) to limit civil and criminal liability for persons who remove unattended animals from motor vehicles that are in physical danger if the actions are reasonable, in good faith, and in accordance with other requirements. Provides that the owner shall be guilty of animal desertion under Section 143-2.6 if the owner or owner's designee does not demand or claim the animal within 24 hours of the animal being taken into custody. Provides that this section shall apply upon highways and elsewhere throughout the State. For purposes of this section: "Animal control officer" means the persons appointed and compensated by the counties pursuant to section 143-7.

Introduction Date: 2023-01-25

State н

Bill Number **HB 1527**

No 772 2024 04 19

Received Notice Of House Agreement And Passage On Final Reading Hse Com

Passed Senate

Title

Relating To Veterinary Medicine.

Description

Prohibits animal owners and their employees from performing any surgical procedures on the owner's pet animal or pet animals. Provides that a violation of the prohibition is a misdemeanor. Clarifies that the offense of cruelty to animals in the first degree does not apply to accepted veterinary practices when the practices are performed by a licensed veterinarian. Repeals exemption of cropping and docking as customarily practiced under the offense of cruelty to animals in the first degree. (SD2)

Primary Sponsors

Scott Nishimoto

Bill Summary: Last edited by Jeff Plummer at Apr 20, 2024, 11:53

Amends Title 25 (Professions & Occupations), Chapter 471 (Veterinary Medicine), Sections 471-1 (Definitions), 471-2 (License Required) and 471-15 (Criminal Penalties) of Hawaii Revised Statutes to prohibit animal owners and their employees from performing any surgical procedures on the owner's animal or animals. Prohibits the elastration, or castration via banding, of a pet animal. Clarifies that the offense of cruelty to animals in the first degree does not apply to accepted veterinary practices when the procedures are performed by a licensed veterinarian. Bans persons who are not licensed to practice veterinary medicine from performing any surgical procedure on pet animals, which are defined as dogs, cats, domesticated rabbits, guinea pigs, domesticated pigs, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred for consumption, and does not include livestock animals. Increases the penalties for violations of veterinary medicine licensing requirements - fine = \$1,000 (currently \$500) and prison term = not more than 1 year (currently 6 months). For purposes of this section: "Pet animal" means a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred for consumption.

Bill Number **HB 1580** Last Action

Status **Failed**

Failed To Pass Third Reading Ayes 11 Aye S With Reservations Senator S Mckelvey Shimabukuro Wakai Noes 14 Senator S Aguino Awa Chang Decoite Fevella Hashimoto Inouye Kanuha Keohokalole Kidani Kim Kouchi Richards San Buenaventura Excused 0 None 2024 04 09

Title

Relating To Animal Cruelty.

Description

Amends the criminal penalties for various animal cruelty offenses by increasing the category of offense. (SD1)

Primary Sponsors

Darius Kila, Micah Aiu, Terez Amato, Cory Chun, Luke Evslin, Andrew Garrett, Kirstin Kahaloa, Rachele Lamosao, Nicole Lowen, Lisa Marten, Rose Martinez, Tyson Miyake, Dee Morikawa, Mark Nakashima, Scott Nishimoto, Mahina Poepoe, Jenna Takenouchi, Adrian Tam, Justin Woodson

Bill Summary: Last edited by Jeff Plummer at Jan 17, 2024, 1:36

Amends Chapter 711 (Offenses Against Public Order), Sections 711-1108 (Cruelty to Animals in the First Degree) and 711-1109 (Cruelty to Animals in the Second Degree) of Hawaii Revised Statutes to amend the criminal penalties for various animal cruelty offenses by increasing the category of offense. Increases the crime of Cruelty to Animals in the First Degree from a Class C felony to a Class B felony. Increases the crime of Cruelty to Animals in the Second Degree from a misdemeanor to a Class C felony. Increases the crime of Cruelty to Animals in the Second Degree (if involving more than 10 pet animals) from a Class C felony to a Class B felony.

Introduction Date: 2024-01-16

State HI

Bill Number **HB 1671**

Status In House

Referred To Jha Referral Sheet 1 2024

01 24

Title

Relating To Animal Endangerment.

Description

Prohibits intentionally leaving or confining pet animals in a vehicle under conditions that endanger their health, safety, or well-being. Permits law enforcement officers, animal control officers, and firefighters to enter an unattended vehicle to protect the health, safety, or well-being of a pet animal that is endangered by being left or confined in an unattended vehicle. Allows private citizens to rescue a pet animal that has been left in an unattended vehicle under certain circumstances.

Primary Sponsors

Adrian Tam, Terez Amato, Sonny Ganaden, Andrew Garrett, Natalia Hussey-Burdick, Jeanne Kapela, Darius Kila, Trish La Chica, Lisa Marten, Rose Martinez, Tyson Miyake, Dee Morikawa, Mark Nakashima, Scott Nishimoto, Amy Perruso, Jackson Sayama, Justin Woodson

Bill Summary: Last edited by Jeff Plummer at Jan 18, 2024, 2:29

Amends Division 5 (Crimes & Criminal Proceedings), Title 37 (Hawaii Penal Code), Chapter 711 (Offenses Against Public Order) of Hawaii Revised Statutes by adding a new section to prohibit leaving animals in unattended vehicles and to allow certain public officials and private citizens to rescue pet animals in unattended vehicles if certain conditions are met, including having a goodfaith, reasonable belief that the animal is in imminent danger. Provides that a person shall not confine a pet animal in an unattended vehicle in a manner that could reasonably be expected to threaten the health and well-being of a pet animal due to conditions that include but are not limited to exposure to extreme heat, extreme cold, or ventilation. An animal control officer, law enforcement officer, or firefighter who removes or otherwise retrieves a pet animal from an unattended vehicle and the agency or municipality that employs the officer or fire fighter shall be immune from criminal or civil liability that might otherwise result from the removal. For purposes of this section: "Pet animal" means a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred for consumption.

Bill Number HB 1682 Last Action

Referred To Cpn Aen Jdc 2024 03 07

In Senate

Title

Relating To Pet Sales.

Description

Requires retail pet stores to maintain and provide certain records relating to the source and medical history of each pet animal obtained by the store. Authorizes retail pet stores to showcase dogs and cats owned by a nonprofit animal welfare organization. Effective 1/1/3000. (HD1)

Primary Sponsors

Mark Nakashima

Bill Summary: Last edited by Jeff Plummer at Jan 18, 2024, 1:27 PM

Amends Title 11 (Agriculture & Animals), Chapter 143 (Animal Licenses & Regulations) of Hawaii Revised Statutes by adding a new section (Retail Sales of Pet Animals; Documentation) to prohibit the sale of pet animals by new retail pet stores after January 1, 2025. Provides that no retail pet store shall sell or offer for sale any pet animal unless the retail pet store was in operation in the State prior to January 1, 2025; provided that the retail pet store operates in the same location under the same ownership in effect as of January 1, 2025. Provides that nothing in this section shall prohibit a retail pet store from showcasing dogs or cats owned by a nonprofit animal welfare organization. Requires a retail pet store to maintain records sufficient to document the source and medical history of each pet animal obtained by the store for at least 3 years following the date the store obtained the pet animal. For purposes of this section: "Broker" means a person who resells pet animals from breeders to retail pet stores. "Pet animal" means a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred for consumption. "Retail pet store" means a commercial establishment that engages in a for-profit business of selling at retail pet animals to the public.

Introduction Date: 2024-01-18

State **HI** Bill Number

HB 2599

Referred To Wal Eep Jha Referral Sheet 3 2024 01 26

Status

In House

Title

Relating To Fisheries.

Description

Exempts actions involving the operation and management of fisheries in the State from environmental review requirements.

Primary Sponsors

David Tarnas

Bill Summary: Last edited by Jeff Plummer at Jan 24, 2024, 10:47 PM

Amends Title 19 (Health), Chapter 343 (Environmental Impact Statements) of Hawaii Revised Statutes by adding a new section to exempt actions involving the operation and management of fisheries in the State from environmental review requirements. Chapter 343 establishes a system of environmental review which will ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations. This new section would exempt actions involving the operation and management of fisheries in the State from environmental review requirements of this chapter.

Bill Number SB 89

Last Action

Status

In House

Carried Over To 2024 Regular Session 2023 12 11

HI

Title

Relating To Marine Management Areas.

Description

Requires the Department of Land and Natural Resources to comply with Chapter 91, Hawaii Revised Statutes, when designating marine management areas. Effective 7/1/2050. (SD1)

Primary Sponsors

Lorraine Inouye, Henry Aquino, Brandon Elefante, Mike Gabbard, Angus McKelvey **Bill Summary:** Last edited by Jeff Plummer at Jan 18, 2023, 4:38 PM

Amends Title 12 (Conservation & Natural Resources), Subtitle 5 (Aquatic Resources & Wildlife), Section 190 (Marine Life Conservation Program), Subsection 3 (Rules) of Hawaii Revised Statutes to add the provision that the Department of Land & Natural Resources shall comply with the requirements of subsection (a) when designating marine management areas. Subsection (a) states: The Department of Land & Natural Resources shall adopt rules governing the taking or conservation of fish, crustacean, mollusk, live coral, algae, or other marine life as it determines will further the state policy of conserving, supplementing, and increasing the State's marine resources. The rules may prohibit activities that may disturb, degrade, or alter the marine environment, establish open and closed seasons, designate areas in which all or any one or more of certain species of fish or marine life may not be taken, prescribe and limit the methods of fishing, including the type and mesh and other description of nets, traps, and appliances, and otherwise regulate the fishing and taking of marine life either generally throughout the State or in specified districts or areas. The rules shall upon taking effect supersede any state laws inconsistent therewith.

Introduction Date: 2023-01-18

State **HI** Bill Number

SB 114

Look Astion

Carried Over To 2024 Regular Session 2023 12 11

Status

In Senate

Title

Relating To Aquaculture.

Description

Requires the Animal Industry Division of the Department of Agriculture to administer an assessment and approval process to import and move aquatic livestock in the State. Requires the Animal Industry Division to develop a risk-based framework for the aquatic livestock assessment and approval process and to undertake certain activities to develop and expand the aquaculture industry. Defines aquatic biorisk, aquatic livestock, and biocontainment.

Primary Sponsors

Glenn Wakai, Stanley Chang, Dru Kanuha, Gil Keith-Agaran, Sharon Moriwaki **Bill Summary:** Last edited by Jeff Plummer at Jan 27, 2023, 2:44 PM

Amends Title 11 (Agriculture & Animals), Chapter 141 (Department of Agriculture) of HI Revised Statutes by adding a new Section 141-A (Aquatic livestock assessment and approval process) to provide that the Animal Industry Division shall administer an assessment and approval process to import and move aquatic livestock in the State. Provides that the process shall: (1) Be based on the framework maintained by the aquaculture program pursuant to section 141-52; and (2) Include pre-arrival disease-free verification, point-of-entry inspection, post-arrival inspection, and the quarantine of any aquatic animals, plants, and microorganisms, as necessary. Adds provision that the existing aquaculture program within the Department shall include: (1) Maintaining an aquatic biorisk-based framework for an assessment and approval process for aquatic livestock that categorizes aquatic livestock species based on the probability and consequence of the establishment of a feral population; and (2) Maintaining a biocontainment standards framework that certifies discrete levels of operational functions. For purposes of this section: "Aquatic biorisk" means the combination of the probability of occurrence of harm and the severity of that harm where the source of harm is an escaped aquatic livestock species. "Aquatic livestock" means various species of domestic and non-domestic fish, crustaceans, and mollusks that are propagated and raised for food, restorative activities, or similar commercial purposes. "Biocontainment" means the safety practices and procedures used to prevent unintended infection of animals from external pathogens or the release of high-consequence species or pathogens into the environment.

Title

Relating To Aquaculture.

Description

Establishes within the Department of Agriculture, an Aquacultural Area Lease Program for the purpose of identifying state facilities, state lands, and state marine waters that are suitable for use and lease as commercial aquacultural areas. Allows agencies having control and management of identified aquacultural areas to lease the facilities, lands, and waters to the Department of Agriculture for the purposes of the Act. Allows the program to use the moneys in the Aquaculture Development Special Fund to carry out the purposes of the Act and requires the revenues obtained from aquacultural area leases to be deposited into the Aquaculture Development Special Fund. Imposes penalties and civil and criminal liabilities. Exempts the program from being subject to the Hawaii Ocean and Submerged Lands Leasing Act.

Primary Sponsors

Glenn Wakai, Henry Aquino, Stanley Chang, Dru Kanuha, Chris

Bill Summary: Last edited by Jeff Plummer at Jan 18, 2023, 4:31

Amends Title 11 (Agriculture & Animals), Chapter 141 (Department of Agriculture) of Hawaii Revised Statutes by adding a new section to promote the State's economic development by establishing within the Department of Agriculture, an aquacultural area lease program for the purpose of identifying state facilities, state lands, and state marine waters that are suitable for use as commercial agricultural areas and leasing them to be used for aquaculture. Allows agencies having control and management of identified aquacultural areas to lease the facilities, lands, and waters to the Department of Agriculture for the purposes of the Act. Allows the program to use the moneys in the Aquaculture Development Special Fund to carry out the purposes of the Act and requires the revenues obtained from aquacultural area leases to be deposited into the special fund. Imposes penalties and civil and criminal liabilities. For purposes of this section: "Aquaculture" means the propagation, cultivation, or farming of aquatic plants and animals in controlled or selected environments for commercial purposes, including research, stocking, aquaponics, or any growing of plants or animals with aquaculture effluents.

Introduction Date: 2023-01-18

State **HI**

SB 403

Last Action

Status
In House

Carried Over To 2024 Regular Session

2023 12 11

Title

Relating To Coral.

Description

Repeals the designation of black coral as the official gem of the State. Effective 6/30/3000. (HD1)

Primary Sponsors

Joy San Buenaventura

Bill Summary: Last edited by Jeff Plummer at Jan 20, 2023, 2:56

Amends Division 1 (Government), Title 1 (General Provisions), Section 5 (Emblems & Symbols), Section 5-15 (State Gem) of HI Revised Statutes to repeal the designation of black coral as the official gem of the State. Repeals Section 5-15: The black coral is established and designated as the official gem of the State. The Legislature finds: 1) That the long-term promotion of Hawaii and its natural resources, including black coral, has led to increased commercial use of coral, contributing to the decline and degradation of the State's coral reefs. 2) The ongoing marketing and promotion of black coral as the official state gem to both tourists and residents must be addressed to prevent further harm to vital coral reefs and reef ecosystems in the State's waters. 3) Overharvesting of coral has led to concerns that, while legally protected, the sale, import, and export of coral jewelry in the State continues to threaten coral reefs and reef ecosystems in Hawaii.

Bill Number SB 432

Last Action

Carried Over To 2024 Regular Session 2023 12 11

Status
In House

Title

Relating To The Designation Of Hawaii Coral Reefs As Critical Natural Infrastructure.

Description

Designates Hawaii coral reefs as critical natural infrastructure.

Primary Sponsors

Mike Gabbard, Stanley Chang, Karl Rhoads, Tim Richards

Bill Summary: Last edited by Jeff Plummer at Jan 20, 2023, 3:08 PM

An Act to designate Hawaii's coral reefs as critical natural infrastructure that help mitigate climate change-related risks and disaster events including exposure to storms, high wave events, sea level rise, and flooding. The Legislature finds that the health and vitality of Hawaii's coral reefs are threatened by global stressors related to climate change, including sea level rise, coral bleaching, and ocean acidification; and by local stressors from land-based sources of pollution, unsustainable fishing practices, and invasive species.

Introduction Date: 2023-01-20

State **HI** Bill Number

Last Action

Status

SB 505

Carried Over To 2024 Regular Session 2023 12 11

In Senate

Title

Relating To Environmental Protection.

Description

Prohibits the harvesting of aquatic life for commercial aquarium purposes, regardless of the method of collection.

Primary Sponsors

Mike Gabbard, Karl Rhoads

Bill Summary: Last edited by Jeff Plummer at Jan 20, 2023, 2:38 PM

Amends Title 12 (Conservation & Resources), Subtitle 5 (Aquatic Resources & Wildlife), Chapter 189 (Commercial Fishing) of Hawaii Revised Statutes by adding a new section to prohibit all commercial capture of aquatic life for aquarium purposes, regardless of the method of collection. Provides that no person shall harvest aquatic life for commercial aquarium purposes. Provides that this section shall not apply to the issuance of a license or permit for activities permitted in sections 187A-3.5 (Aquaculturist license and license to sell prohibited aquatic life and 187A-6 (Special activity permits); provided that the requirements of those sections are met. For purposes of this section: "Aquarium purposes" means to hold salt water fish, freshwater nongame fish, or other aquatic life alive in a state of captivity as pets, for scientific study, for public exhibition or display, or for sale for these purposes. "Commercial" means to take aquatic life for profit or gain or where the aquatic life is sold, offered for sale, possessed with intent to sell, bartered, landed, or transported for sale.

Status

Relating To Aquaculture.

Description

Establishes the Aquaculture Advisory Committee. Makes an appropriation. (SD1)

Primary Sponsors

Mike Gabbard, Stanley Chang, Angus McKelvey, Glenn Wakai

Bill Summary: Last edited by Jeff Plummer at Jan 20, 2023, 3:15

Amends Title 11 (Agriculture & Animals), Chapter 141 (Department of Agriculture) of HI Revised Statutes by adding a new section to establish the Aquaculture Advisory Committee within the Hawaii Department of Agriculture. Provides that the purpose of the advisory committee is to provide expert and credible guidance for supporting and strengthening aquaculture throughout the State. Provides that the advisory committee shall consist of 5 members who are experienced in aquaculture appointed by the Governor based on recommendations from aquaculture industry leaders from the public and private sector. Provides that the terms of advisory committee members shall be 4 years; provided that initial terms shall be 1, 2, 3, or 4 years to ensure staggered rotation of members. Provides that the committee shall meet at least annually to review the status of the State's aquaculture industry and shall make recommendations to the Department of Agriculture on at least an annual basis.

Introduction Date: 2023-01-20

State

Bill Number

Last Action

Status

SB 612

Carried Over To 2024 Regular Session 2023 12 11

In House

Title

HI

Relating To Service Animals.

Description

Requires that a written disclaimer be provided by sellers or providers of emotional support animals or certificates or identification tags for emotional support animals that the animal is not a service animal or the item does not qualify as an item for a service animal and that knowingly misrepresenting an emotional support animal may be a violation. Establishes penalties. Effective 6/30/3000. (HD1)

Primary Sponsors

Karl Rhoads, Joy San Buenaventura

Bill Summary: Last edited by Jeff Plummer at Jan 23, 2023, 2:36 PM

Amends Division 1 (Government), Title 20 (Social Services), Chapter 347 (Blind, Visually Handicapped and Other Disabled Persons) of Hawaii Revised Statutes by adding a new section to require that a disclaimer be provided by sellers or providers of emotional support animals or certificates, identifications, tags, vests, leashes, and harnesses for emotional support animals that the animal is not a service animal. Provides that a person or business that sells or provides an animal for use as an emotional support animal or a certificate, identification, tag, vest, leash, or harness for an emotional support animal shall provide written notice to the buyer or recipient of the animal that states the following: 1) The animal does not have the special training required to qualify as a service animal; 2) The animal is not entitled to the rights and privileges accorded by law to a service animal; and 3) Knowingly misrepresenting as a service animal any animal that does not meet the requirements of a service animal, as defined in section 347—2.5, is a violation of section 347—2.6. Establishes penalties for violations of this section.

Carried Over To 2024 Regular Session 2023 12 11

In Senate

Title

Relating To The Department Of Land And Natural Resources.

Description

Establishes a criminal penalty and monetary fines for aquarium fishing violations. Clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fish and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitutes a separate offense.

Primary Sponsors

Dru Kanuha, Stanley Chang, Angus McKelvey, Tim Richards, Glenn Wakai

Bill Summary: Last edited by Jeff Plummer at Jan 21, 2023, 10:56

Amends Title 12 (Conservation & Resources), Subtitle 5 (Aquatic Resources & Wildlife), Chapter 188 (Fishing Rights and Regulations), Section 188-70 (Penalties) of Hawaii Revised Statutes to increase fines for aquarium fishing violations. Adds provision that any person violating section 188-31 (Permits to take aquatic life for aquarium purposes) is guilty of a misdemeanor and, in addition to any other penalties, shall be fined not less than: (1) \$200 for a first offense; (2) \$400 for a second offense; and (3) \$1,000 for a third or subsequent offense. For purposes of this section, each fish or aquatic life specimen taken in violation of sections 188-23 and 188-31 shall constitute a separate offense.

Introduction Date: 2023-01-20

State **HI** Bill Number SB 998

Last Action

Carried Over To 2024 Regular Session

In Senate

2023 12 11

Title

Relating To The Spaying And Neutering Of Animals.

Description

Establishes a Spay and Neuter Special Fund. Allows funds from an income tax check-off to be deposited into the Spay and Neuter Special Fund. Appropriates funds.

Primary Sponsors

Karl Rhoads, Chris Lee

Introduction Date: 2023-01-20

State **HI** Bill Number SB 1177

Last Action

Carried Over To 2024 Regular Session 2023 12 11

Status

In Senate

Title

Relating To Dogs.

Description

Allows dogs in restaurants at the restaurant owner's or manager's discretion, provided that certain conditions are met.

Primary Sponsors

Chris Lee, Stanley Chang, Gil Keith-Agaran, Angus McKelvey

Bill Summary: Last edited by Jeff Plummer at Jan 23, 2023, 2:28 PM

Amends Title 19 (Health), Chapter 321 (Department of Health) of Hawaii Revised Statutes by adding a new section to allow dogs in restaurants at the restaurant owner's or manager's discretion, provided that certain conditions are met. Provides that a restaurant patron who brings the dog into the restaurant and the dog's owner shall be liable for all property damage and personal injury that the dog causes while in the restaurant. Provides that any patron that misrepresents a dog as a service animal to circumvent requirements of this section shall be subject to certain fines and penalties. For purposes of this section: "Restaurant" means any place where food is served or provided to the public at a charge, including outdoor seating areas, regardless of whether food is consumed on or off the premises.

Bill Number SB 2094 Last Action

Status

In House

Passed Second Reading As Amended In Hd 1 And Referred To The Committee S On Fin With None Voting Aye With Reservations None Voting No 0 And Representative S Belatti Hashem Kong Sayama Excused 4 2024 03 19

Title

Relating To Corrections.

Description

Requires the Department of Corrections and Rehabilitation (DCR) to establish a one-year pilot program to allow inmates incarcerated at the Women's Community Correctional Center to foster pets while incarcerated. Requires DCR to submit a report to the Legislature. Appropriates funds. Effective 7/1/3000. (HD1)

Primary Sponsors

Glenn Wakai, Henry Aquino, Stanley Chang, Kurt Fevella, Joy San Buenaventura **Bill Summary:** Last edited by Jeff Plummer at Jan 17, 2024, 1:51

An Act requiring the Department of Corrections and Rehabilitation to establish a two-year pilot program to allow inmates incarcerated at the women's community correctional center to foster pets while incarcerated. Provides that the Department of Corrections and Rehabilitation shall submit a report of its findings and recommendations regarding the pilot program, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2026. Appropriations the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2024-2025 for the department to establish the pilot program.

Introduction Date: 2024-01-17

State Bill Number Last Action Status
HI SB 2120 Re Referred To Agr Jha Referral Sheet In House

18 2024 03 08

Title

Relating To Pet Sales.

Description

Requires retail pet stores to maintain records regarding the source and medical history of animals sold and provide records to pet purchasers, subject to the discretion of the retail pet store. Establishes penalties. Authorizes retail pet stores to showcase pet animals owned by a nonprofit animal welfare organization. Takes effect 7/1/2040. (SD2)

Primary Sponsors

Jarrett Keohokalole, Stanley Chang, Kurt Fevella, Troy Hashimoto **Bill Summary:** Last edited by Jeff Plummer at Jan 17, 2024, 2:08 PM

Amends Title 11 (Agriculture & Animals), Chapter 143 (Animal Licenses & Regulations) of Hawaii Revised Statutes by adding a new section (Retail Sales of Pet Animals; Documentation) to prohibit the sale of pet animals by new retail pet stores after January 1, 2025. Provides that no retail pet store shall sell or offer for sale any pet animal unless the retail pet store was in operation in the State prior to January 1, 2025; provided that the retail pet store operates in the same location under the same ownership in effect as of January 1, 2025. Provides that nothing in this section shall prohibit a retail pet store from showcasing dogs or cats owned by a nonprofit animal welfare organization. Requires a retail pet store to maintain records sufficient to document the source and medical history of each pet animal obtained by the store for at least 3 years following the date the store obtained the pet animal. For purposes of this section: "Broker" means a person who resells pet animals from breeders to retail pet stores. "Pet animal" means a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred for consumption. "Retail pet store" means a commercial establishment that engages in a for-profit business of selling at retail pet animals to the public.

Status

The Recommendation Was Not Adopted 2024 01 31

In Senate

Title

Relating To Aquarium Fish Permits.

Description

Exempts persons engaging in aquaculture research from the aquarium fish permit requirement.

Primary Sponsors

Lorraine Inouye, Stanley Chang

Bill Summary: Last edited by Jeff Plummer at Jan 18, 2024, 1:40

Amends Title 12 (Conservation & Resources), Subtitle 5 (Aquatic Resources & Wildlife), Chapter 188 (Fishing Rights & Regulations), Section 188-31 (Permits to take aquatic life for aquarium purposes) of Hawaii Revised Statutes to exempt persons engaging in aguaculture research from the aguarium fish permit requirement. Provides that this section shall not apply to activities conducted for aguaculture research. Aguaculture research activities shall be conducted in accordance with any applicable rules adopted by the department. For purposes of this section: "Aquaculture research" means the cultivation of and experimentation with aquatic organisms in a controlled environment for scientific, educational, or conservation purposes, including but not limited to breeding, growth, and health studies. "Aquaculture research" does not include activities conducted for the commercial sale or public exhibition of aquatic life.

Introduction Date: 2024-01-18

HI.

Bill Number SB 2149

In Senate

Report Adopted Passed Second Reading As Amended Sd 1 And Referred To Wam 2024 02 14

Title

Relating To Permits.

Description

Requires the Department of Land and Natural Resources to approve or deny an application related to aquaculture within 90 days from the date that it was submitted. Establishes two full-time equivalent (2.0 FTE) positions within the Division of Aquatic Resources to support the permit review process. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation. (SD1)

Primary Sponsors

Lorraine Inouye, Stanley Chang, Kurt Fevella, Troy Hashimoto

Bill Summary: Last edited by Jeff Plummer at Jan 18, 2024, 1:48

Amends Title 12 (Conservation & Resources), Subtitle 5 (Aquatic Resources & Wildlife), Chapter 187A (Aquatic Resources), Sections 187A-3.5 (Aquaculturist license and license to sell prohibited aquatic life) and 187A-6 (Special activity permits) of Hawaii Revised Statutes to require the Department of Land & Natural Resources to approve or deny an application related to aquaculture within 90 days from the date that it was submitted. Provides that the department shall approve or deny an application for the permit within ninety days from the date that the application was submitted. Establishes two full-time equivalent positions within the Division of Aquatic Resources to support the permit review process. Declares that the General Fund expenditure ceiling is exceeded.

The Committee S On Jha Recommend S That The Measure Be Deferred 2024 03 14

Title

Relating To Animal Endangerment.

Description

Prohibits intentionally leaving or confining pet animals in a vehicle under conditions that endanger their health, safety, or well-being. Permits law enforcement officers, animal control officers, and firefighters to enter an unattended vehicle to protect the health, safety, or well-being of a pet animal that is endangered by being left or confined in an unattended vehicle. Allows private citizens to rescue a pet animal that has been left in an unattended vehicle under certain circumstances. Takes effect 4/14/2112. (SD2)

Primary Sponsors

Chris Lee, Stanley Chang, Angus McKelvey, Glenn Wakai

Bill Summary: Last edited by Jeff Plummer at Jan 22, 2024, 12:27

Amends Division 5 (Crimes & Criminal Proceedings), Title 37 (Hawaii Penal Code), Chapter 711 (Offenses Against Public Order) of Hawaii Revised Statutes by adding a new section to prohibit leaving animals in unattended vehicles and to allow certain public officials and private citizens to rescue pet animals in unattended vehicles if certain conditions are met, including having a goodfaith, reasonable belief that the animal is in imminent danger. Provides that a person shall not confine a pet animal in an unattended vehicle in a manner that could reasonably be expected to threaten the health and well-being of a pet animal due to conditions that include but are not limited to exposure to extreme heat, extreme cold, or ventilation. An animal control officer, law enforcement officer, or firefighter who removes or otherwise retrieves a pet animal from an unattended vehicle and the agency or municipality that employs the officer or fire fighter shall be immune from criminal or civil liability that might otherwise result from the removal. For purposes of this section: "Pet animal" means a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred for consumption.

Introduction Date: 2024-01-19

 State
 Bill Number
 Last Action
 Status

 HI
 SB 2564
 Referred To Cpn Hou Jdc 2024 01 24
 In Senate

Title

Relating To Pet Animals.

Description

Prohibits insurers from refusing to issue, refusing to renew, canceling, or establishing higher rates for a homeowners insurance policy or dwelling fire insurance policy based on the breed of any dog that is kept on the premises. Requires any pet animal found on the premises during an eviction to be given to the owner or taken in by an animal control agency. Limits the monetary amount of pet deposits and pet rent. Clarifies that a provision allowing a lien on an animal to secure payment for caring for or feeding the animal does not apply to pet animals.

Primary Sponsors

Chris Lee, Angus McKelvey

Bill Summary: Last edited by Jeff Plummer at Jan 22, 2024, 12:44 PM

Amends Title 24 (Insurance), Chapter 431 (Insurance Code), Article 10E (Property Insurance) of Hawaii Revised Statutes by adding a new Part (Pet Animals) to: (1) Prohibit homeowners insurance policies or dwelling fire insurance policies from being based on the breed of a dog; (2) Provide for disposition of certain seized animals; and (3) Restrict pet deposits and pet rent amounts. Prohibits insurers from refusing to issue, refusing to renew, canceling, or establishing higher rates for a homeowners insurance policy or dwelling fire insurance policy based on the breed of any dog that is kept on the premises. Requires any pet animal found on the premises during an eviction to be given to the owner or taken in by an animal control agency. Limits the monetary amount of pet deposits and pet rent. Clarifies that a provision allowing a lien on an animal to secure payment for caring for or feeding the animal does not apply to pet animals. For purposes of this section: "Pet animal" means a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred for consumption.

SB 2698

Last Action

Referred To Hhs Cpn Jdc 2024 01 24

In Senate

Title

Relating To Dogs.

Description

Allows dogs in restaurants at the restaurant owner's or manager's discretion, provided that certain conditions are met.

Primary Sponsors

Chris Lee, Stanley Chang, Mike Gabbard, Angus McKelvey

Bill Summary: Last edited by Jeff Plummer at Jan 22, 2024, 12:49 PM

Amends Title 19 (Health), Chapter 321 (Department of Health) of Hawaii Revised Statutes by adding a new section to allow dogs in restaurants at the restaurant owner's or manager's discretion, provided that certain conditions are met. Provides that a restaurant patron who brings the dog into the restaurant and the dog's owner shall be liable for all property damage and personal injury that the dog causes while in the restaurant. Provides that any patron that misrepresents a dog as a service animal to circumvent requirements of this section shall be subject to certain fines and penalties. For purposes of this section: "Restaurant" means any place where food is served or provided to the public at a charge, including outdoor seating areas, regardless of whether food is consumed on or off the premises.

Introduction Date: 2024-01-19

State **HI** Bill Number SB 3342

Last Action

Referred To Aen Wam 2024 01 29

Status

In Senate

Title

Relating To The Spaying And Neutering Of Animals.

Description

Establishes a spay and neuter special fund and an advisory committee for the special fund. Allows funds from an income tax check-off to be deposited into the spay and neuter special fund. Appropriates moneys. Declares that the appropriation exceeds the state general fund expenditure ceiling for 2024-2025.

Primary Sponsors

Tim Richards, Henry Aquino, Stanley Chang, Lynn DeCoite, Kurt Fevella, Mike Gabbard, Troy Hashimoto, Angus McKelvey, Joy San Buenaventura, Maile Shimabukuro **Bill Summary:** Last edited by Jeff Plummer at Jan 25, 2024, 2:59 PM

Amends Chapter 143 (Animals: Licenses and Regulations) of Hawaii Revised Statutes by adding a new section establishing a spay and neuter special fund. Allows funds from an income tax check-off to be deposited into the special fund. Provides that moneys in the special fund shall be expended to reduce pet overpopulation and the reproduction of free-roaming cats by providing spaying and neutering surgery and associated veterinary care. Establishes an advisory committee to assist the Department of Budget and Finance in establishing the eligibility criteria and procedures for disbursements from the special fund.

Introduction Date: 2024-01-24

FiscalNote