



HAWAII RECOMMENDS PET ENCLOSURE REQUIREMENTS

The Issue.

Two pieces of legislation have been introduced in Hawaii pertaining to primary pet enclosures. House Bill 2725 and its companion, Senate Bill 2800, define a “primary pet enclosure” as “any kennel, cage or structure used to restrict an animal to a limited area of space”.

The Impact.

These bills amend current law by changing the definition of “necessary sustenance” to mean “care sufficient to preserve the health and well-being of a pet animal, except for emergencies or circumstances beyond the reasonable control of the owner or caretaker of the pet animal, and includes but is not limited to the following requirements:

- Food of sufficient quantity and quality to allow for normal growth or maintenance of body weight;
- Open or adequate access to water in sufficient quantity and quality to satisfy the animal's needs;
- Access to protection from wind, rain, or sun;
- Veterinary care when needed to prevent suffering;
- An area of confinement in a primary pet enclosure that:
 - Provides access to shelter;
 - Is constructed of safe materials;
 - Protects the animal from injury;
 - Enables the animal to be clean, dry, and free from excess waste or other contaminants that could affect the animal's health;
 - Provides the animal with a solid surface or resting platform that is large enough for the animal to lie upon in a normal manner;
 - Provides sufficient space to allow the animal to, at minimum, do the following:
 - Easily stand, sit, lie, turn around, and make all other normal body movements in a comfortable manner for the animal, without making physical contact with any other animal in the enclosure; and
 - Interact safely with other animals within the enclosure.”

PIJAC Position.

This PetAlert is for informational purposes only. These primary enclosure standards follow those of other states. If you have any suggestions or comments on this issue please feel free to share them with PIJAC.

Recommended Action.

House Bill 2725 has been assigned to the House Judiciary Committee while Senate Bill 2800 has been placed in the Senate Judiciary & Government Operations Committee. No hearings have been set for either bill. Contact information for committee members of both committees is listed below.



The complete text to this legislation is attached to the online version of this *PetAlert*, found on the 'Breaking News' page of the PIJAC website (<http://www.pijac.org/petinformation/breakingnews.asp>).

If you have further questions please feel free to contact PIJAC's Bambi Nicole Osborne by phone at 202-452-1525 or via email at bambi@pijac.org.

State of Hawaii
House Committee on Judiciary
State Capitol, #302
415 S. Beretania Street
Honolulu, HI 96813
808/586-8490

<u>REPRESENTATIVE</u>	<u>DISTRICT(S)</u>	<u>TEL. #</u>	<u>EMAIL</u>
Jon Riki Karamatsu (Ch) (D-41)	Waipahu, Village Park, Waikele	808/586-8490	repkaramatsu@capitol.hawaii.gov
Ken Ito (V-Ch) (D-48)	Heeia, Haiku Valley, Kapunahala, Kaneohe	808/586-8470	replito@capitol.hawaii.gov
Della Au Belatti (D-25)	Tantalus, Makiki, McCully	808/586-9425	repbelatti@capitol.hawaii.gov
Rida Cabanilla (D-42)	Waipahu, Honouliuli, West Loch, Ewa	808/586-6080	repcabanilla@capitol.hawaii.gov
Mele Carroll (D-13)	Kahoolawe, Molokini, Lanai, Molokai, Keanae, Wailua, Nahiku, Hana	808/586-6790	repcarroll@capitol.hawaii.gov
Robert Herkes (D-5)	Puna, Ka'u, South Kona, North Kona	808/586-8400	repherkes@capitol.hawaii.gov
Sylvia Luke (D-26)	Dowsett Highlands, Pacific Heights, Pauoa, Punchbowl	808/586-8530	repluke@capitol.hawaii.gov
Barbara C. Marumoto (R-19)	Waialae Iki, Kalani Valley, Waialae Nui, Diamond Head, Kahala	808/586-6310	repmarumoto@capitol.hawaii.gov
Angus McKelvey (D-10)	Lahaina, Kaanapali, Kapalua, Maalaea, Kihei	808/586-6160	repmckelvey@capitol.hawaii.gov
John M. Mizuno (D-30)	Kamehameha Heights, Kalihi Valley, Fort Shafter	808-586-6050	repmizuno@capitol.hawaii.gov
Hermine Morita (D-14)	Hanalei, Anahola, Kealia, Kapaa, Waipouli	808/586-8435	repmorita@capitol.hawaii.gov
Blake K. Oshiro (D-33)	Aiea, Halawa Valley, Halawa Heights, Aiea Heights	808/586-6340	repboshiro@capitol.hawaii.gov
Joseph M. Souki (D-8)	Wailuku, Waihee, Waiehu, Puuohala, Waikapu	808/586-9444	repsouki@capitol.hawaii.gov
Cynthia Thielen (R-50)	Kailua, Kaneohe Bay	808/586-6480	repthielen@capitol.hawaii.gov
Clifton K. Tsuji (D-3)	South Hilo, Panaewa, Puna, Keaau, Kurtistown	808/586-8480	reptsuji@capitol.hawaii.gov
Glenn Wakai (D-31)	Moanalua Valley, Moanalua, Salt Lake	808/586-6220	repwakai@capitol.hawaii.gov

State of Hawaii
Senate Committee on Judiciary & Government Operations
State Capitol, #214
Honolulu, HI 96813
808/586-6460

<u>SENATOR</u>	<u>DISTRICT(S)</u>	<u>TEL. #</u>	<u>EMAIL</u>
Brian T. Taniguchi (Ch)(D-10)	Manoa, Mo'ili'ili, McCully, Makiki	808/586-6460	sentaniguchi@capitol.hawaii.gov
Dwight Y. Takamine (V-Ch)(D-1)	Hilo, Honoka'a, Laupahoehoe, Hamakua, Waiakea Uka, Keaukaha, Waimea	808/586-7335	sentakamine@capitol.hawaii.gov
Robert Bunda (D-22)	Mililani Mauka, Wahiawa, Hale'iwa, Mokule'ia, North Shore	808/586-6090	senbunda@capitol.hawaii.gov
Mike Gabbard (D-19)	Waiekele, Village Park, Royal Kunia, Makakilo, Kapolei, Kalaeloa, Honokai Hale, Portions of Waipahu and Ko 'Olina	808/586-6830	sengabbard@capitol.hawaii.gov
Clarence K. Nishihara (D-18)	Waipahu, Pearl City, Crestview	808/586-6970	sennishihara@capitol.hawaii.gov
Sam Slom (R-8)	Hawai'i Kai, 'Aina Haina, Kahala, Diamond Head	808/586-8420	senslom@capitol.hawaii.gov

PIJAC Members! PIJAC Fans! Join US...

The Pet Industry Joint Advisory Council (PIJAC) has been protecting and promoting responsible pet ownership for nearly forty years. Follow our successes, events, and action alerts through Facebook and/or Twitter at PIJAC4pets. If you are not already a Member, please join us today by visiting www.pijac.org/membership. For additional information on PIJAC and its many exciting campaigns, please visit: www.pijac.org and www.dontmesswithmypet.org. Or, contact us at 1-800-553-PETS (1-800-553-7387); members@pijac.org.

On behalf of pets, responsible pet owners, and the pet industry, we thank you!

2009 HI H 2725 **AUTHOR:** Karamatsu
 VERSION: House Draft 1
 VERSION DATE: 02/26/2010

HOUSE OF REPRESENTATIVES
TWENTY-FIFTH LEGISLATURE, 2010
STATE OF HAWAII

H.B. No. 2725

A BILL FOR AN ACT

RELATING TO ANIMALS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 711-1100, Hawaii Revised Statutes, is amended as follows:

1. By adding a new definition to be appropriately inserted and to read:

""Primary pet enclosure" means any kennel, cage, or structure used to restrict a pet animal to a limited amount of space."

2. By amending the definitions of "necessary sustenance" and "pet animal" to read:

"Necessary sustenance" means care sufficient to preserve the health and well-being of a pet animal, except for emergencies or circumstances beyond the reasonable control of the owner or caretaker of the pet animal, and includes ~~but is not limited to~~ the following requirements:

- (1) Food of sufficient quantity and quality to allow for normal growth or maintenance of body weight;
- (2) Open or adequate access to water in sufficient quantity and quality to satisfy the animal's needs;
- (3) Access to protection from wind, rain, or sun; and
- (4) An area of confinement ~~that has adequate space necessary for the health of the animal and is kept reasonably clean~~ in a primary pet enclosure that:
 - (A) Provides access to shelter;
 - (B) Is constructed of safe materials to protect an animal from injury;
 - (C) Enables an animal to be clean, dry, and free from excess waste or other contaminants that could affect the animal's health;

(D) Provides an animal with a solid surface or resting platform that is large enough for the animal to lie down in a normal manner;

(E) Provides an animal with a solid surface (in the case of a rabbit or guinea pig the surface may be welded wire of sufficient size to allow feces to pass through, yet comfortably support the animal) or resting platform (in the case of birds, a perch) that is large enough for the animal to lie or perch upon in a normal manner; and

(F) Provides sufficient space to allow an animal to:

(i) Easily stand, sit, lie, turn around, and make all other normal body movements in a comfortable normal position for the animal without making physical contact with any other animal enclosure; and

(ii) Interact safely with other animals within the enclosure; and

(5) Provides veterinary care when required to prevent suffering.

"Pet animal" means a dog, cat, domesticated rabbit (so long as not bred or raised for meat production purposes), guinea pig, ~~domesticated pig~~, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred or raised for ~~consumption~~ egg or meat production purposes."

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. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on December 21, 2058.

2009 HI S 2800 **AUTHOR:** Taniguchi
 VERSION: Senate Draft 1
 VERSION DATE: 02/26/2010

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2010
STATE OF HAWAII

S.B. No. 2800

A BILL FOR AN ACT

RELATING TO OFFENSES AGAINST PUBLIC ORDER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 711-1100, Hawaii Revised Statutes, is amended as follows:

1. By adding a new definition to be appropriately inserted and to read:

""Primary pet enclosure" means any kennel, cage, or structure used to restrict a pet animal to a limited area of space."

2. By amending the definition of "necessary sustenance" to read:

"Necessary sustenance" means care sufficient to preserve the health and well-being of a pet animal, except for emergencies or circumstances beyond the reasonable control of the owner or caretaker of the pet animal, and includes but is not limited to the following requirements:

- (1) Food of sufficient quantity and quality to allow for normal growth or maintenance of body weight;
- (2) Open or adequate access to water in sufficient quantity and quality to satisfy the animal's needs;
- (3) Access to protection from wind, rain, or sun; ~~and~~
- (4) An area of confinement that has adequate space necessary for the health of the animal and is kept reasonably clean and free from excess waste or other contaminants that could affect the animal's health; provided that the area of confinement in a primary pet enclosure must:
 - (A) Provide access to shelter;
 - (B) Be constructed of safe materials;
 - (C) Protect the pet animal from injury;

(D) Enable the pet animal to be clean, dry, and free from excess waste or other contaminants that could affect the pet animal's health;

(E) Provide the pet animal with a solid surface or resting platform that is large enough for the pet animal to lie upon in a normal manner;

(F) Provide sufficient space to allow the pet animal to, at minimum, do the following:

(i) Easily stand, sit, lie, turn around, and make all other normal body movements in a comfortable manner for the pet animal, without making physical contact with any other animal in the enclosure; and

(ii) Interact safely with other animals within the enclosure; and

(5) Veterinary care when needed to prevent suffering."

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. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2050.