

# SENATE BILL REPORT

## SB 5933

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As Reported By Senate Committee On:  
Agriculture & Environment, March 5, 1997

**Title:** An act relating to dangerous dogs.

**Brief Description:** Revising provisions for dangerous dogs.

**Sponsors:** Senator Swecker.

**Brief History:**

**Committee Activity:** Agriculture & Environment: 3/5/97 [DP].

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### SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

**Majority Report:** Do pass.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Fraser, McAuliffe, Oke and Rasmussen.

**Staff:** Vic Moon (786-7469)

**Background:** A dangerous dog— is defined in statute as a dog which has 1) inflicted severe injury on a person without provocation; 2) killed a domestic animal while off the owner's property without provocation; or 3) been previously declared potentially dangerous and again attacks a person or domestic animal. A potentially dangerous dog— is defined as one which, when unprovoked, bites, chases, or menaces a person or domestic animal, or any dog which has a known tendency or disposition to attack unprovoked or threaten the safety of people or domestic animals.

Currently, the local animal control authority regulates dangerous and potentially dangerous dogs. The owner of such a dog must obtain a certificate of registration from the regulating animal control authority. A certificate may be obtained by demonstrating 1) that the owner has a proper enclosure to restrain the dog, and 2) that the owner has the ability to compensate anyone injured by the dog. A proper enclosure— is defined as a securely enclosed and locked pen that will prevent the animal from escaping; the owner also has the option of keeping the dog indoors. Ability to compensate is demonstrated by a \$50,000 surety bond or liability insurance policy.

**Summary of Bill:** The definition of dangerous dog— is changed to include a dog that approaches a person in a menacing manner, or that appears ready to attack a person. Provisions relating to potentially dangerous dogs are deleted.

All authority to regulate and register dangerous dogs is given to the office of the county sheriff in the county of residence. City and county animal control authorities are relieved of this responsibility, though they may assist the sheriff's office by confiscating a dog found in violation of this statute.

Owners are given the option of securing a dog in a securely enclosed fence no less than five feet high, equipped with a self-closing, self-latching gate designed to prevent the animal's escape.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** There needs to be greater enforcement of present law to stop dangerous dogs from attacking children and adults in both rural and urban areas. The distinction between dangerous– and potentially dangerous– does not make any sense. Should we wait until a dog bites before taking control measures? Care must be taken to ensure city authority to control dangerous dogs.

**Testimony Against:** None.

**Testified:** Debbie Swecker; Pam Cheney; Benita McCormick; Leonard Carlson; Jim Justin, Association of Cities.