

# HOUSE BILL ANALYSIS

## HB 2280

---

**Brief Description:** Prohibiting the sale of the raw fur of domestic dogs and cats.

---

**Sponsors:** Representatives Campbell and O'Brien.

**Hearing:** January 21, 2000

---

### HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

**Staff:** Jean Ann Quinn (786-7310).

#### **BACKGROUND:**

A person is guilty of animal cruelty in the first degree if he or she intentionally inflicts substantial pain on, causes physical injury to, or kills an animal by a means causing undue suffering. A person is guilty of animal cruelty in the second-degree if he or she knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal. A person is guilty of the crime of engaging in commercial wildlife activity without a license if he or she deals in raw furs for commercial purposes without a fur dealers license. A person is guilty of unlawful trapping if the person sets out traps without possessing the necessary licenses. These are applicable only to wildlife in the state.

For the purposes of the Washington criminal code, a person acts "knowingly" when the person is: (1) aware of a fact(s), circumstances, or a result described by a statute defining an offense; or (2) has information that would lead a reasonable person in the same situation to believe that facts exist which facts are described by a statute defining an offense.

A class C felony carries a maximum sentence of five years imprisonment and/or a \$10,000 fine. A felony that is not assigned a seriousness level for the purposes of the sentencing guidelines (an "unranked" felony) carries a maximum term of confinement of one year, unless an exceptional sentence is warranted.

#### **SUMMARY OF BILL:**

It is a illegal to knowingly trap, take, breed, shelter, tend, feed, or kill a domestic dog or

cat for the purpose of dealing in its raw fur. It is also illegal to knowingly buy, sell, barter, or otherwise exchange for profit the raw fur of a domestic dog or cat. In both instances, this also applies to products that include the raw fur of a domestic dog or cat.

For a first offense, the crime is a gross misdemeanor punishable by a term of imprisonment of not more than one year, and a mandatory fine of not less than \$500 per animal. A second or subsequent conviction is an unranked class C felony and carries a mandatory fine of not less than \$1,000 per animal.

It is clarified that the crime does not prevent - as otherwise allowed by law- killing dogs injuring stock, taking into custody or destroying dogs harassing deer or elk, dealing in raw furs for commercial profit, or having a pet dog or cat stuffed by a licensed taxidermist.

**FISCAL NOTE:** Requested on January 12, 2000.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill is passed.