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ENGROSSED SUBSTITUTE SENATE BILL 5942

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State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators McAuliffe, Jacobsen and Oke)

READ FIRST TIME 03/05/01.

1 AN ACT Relating to dog guides and service animals; adding a new  
2 section to chapter 9.91 RCW; creating a new section; and prescribing  
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** This act may be known and cited as Layla's  
6 Law.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.91 RCW  
8 to read as follows:

9 (1)(a) Any person who has received notice that his or her behavior  
10 is interfering with the use of a dog guide or service animal who  
11 continues with reckless disregard to interfere with the use of a dog  
12 guide or service animal by obstructing, intimidating, or otherwise  
13 jeopardizing the safety of the dog guide or service animal user or his  
14 or her dog guide or service animal is guilty of a misdemeanor  
15 punishable according to chapter 9A.20 RCW, except that for a second or  
16 subsequent offense it is a gross misdemeanor.

17 (b) Any person who, with reckless disregard, allows his or her dog  
18 to interfere with the use of a dog guide or service animal by

1 obstructing, intimidating, or otherwise jeopardizing the safety of the  
2 dog guide or service animal user or his or her dog guide or service  
3 animal is guilty of a misdemeanor punishable according to chapter 9A.20  
4 RCW, except that for a second or subsequent offense it is a gross  
5 misdemeanor.

6 (2)(a) Any person who, with reckless disregard, injures, disables,  
7 or causes the death of a dog guide or service animal is guilty of a  
8 gross misdemeanor punishable according to chapter 9A.20 RCW.

9 (b) Any person who, with reckless disregard, allows his or her dog  
10 to injure, disable, or cause the death of a dog guide or service animal  
11 is guilty of a gross misdemeanor punishable according to chapter 9A.20  
12 RCW.

13 (3) Any person who intentionally injures, disables, or causes the  
14 death of a dog guide or service animal is guilty of a class C felony.

15 (4) Any person who wrongfully obtains or exerts unauthorized  
16 control over a dog guide or service animal with the intent to deprive  
17 the dog guide or service animal user of his or her dog guide or service  
18 animal is guilty of theft in the first degree, RCW 9A.56.030.

19 (5)(a) In any case in which the defendant is convicted of a  
20 violation of this section, he or she shall also be ordered to make full  
21 restitution for all damages, including incidental and consequential  
22 expenses incurred by the dog guide or service animal user and the dog  
23 guide or service animal which arise out of or are related to the  
24 criminal offense.

25 (b) Restitution for a conviction under this section shall include,  
26 but is not limited to:

27 (i) The value of the replacement of an incapacitated or deceased  
28 dog guide or service animal, the training of a replacement dog guide or  
29 service animal, or retraining of the affected dog guide or service  
30 animal and all related veterinary and care expenses; and

31 (ii) Medical expenses of the dog guide or service animal user,  
32 training of the dog guide or service animal user, and compensation for  
33 wages or earned income lost by the dog guide or service animal user.

34 (6) Nothing in this section shall affect any civil remedies  
35 available for violation of this section.

36 (7) For purposes of this section, the following definitions apply:

37 (a) "Dog guide" means a dog that is trained for the purpose of  
38 guiding blind persons or a dog trained for the purpose of assisting  
39 hearing impaired persons.

1       (b) "Service animal" means an animal that is trained for the  
2 purposes of assisting or accommodating a disabled person's sensory,  
3 mental, or physical disability.

4       (c) "Notice" means a verbal or otherwise communicated warning  
5 prescribing the behavior of another person and a request that the  
6 person stop their behavior.

7       (d) "Value" means the value to the dog guide or service animal user  
8 and does not refer to cost or fair market value.

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