
Judiciary Committee

HB 1151

Title: An act relating to the keeping of dangerous wild animals.

Brief Description: Regulating the keeping of dangerous wild animals.

Sponsors: Representatives Lovick, Lantz, Jarrett, Miloscia, Delvin, Moeller, Wallace, Simpson and Upthegrove.

Brief Summary of Bill

- Prohibits possession of "dangerous wild animals." These include large cats, wolves, bears, monkeys, and certain snakes and lizards.
- Creates exceptions for certain entities, including zoos; aquariums; wildlife sanctuaries; research, medical, and educational institutions; circuses; rodeos; persons possessing monkeys specially trained to assist humans; and persons possessing animals prior to the effective date of the act who acquire a permit by June 30, 2004.
- Requires local animal control authorities to establish a permitting process for people who currently own dangerous wild animals.
- Creates misdemeanor and gross misdemeanor crimes for violations of the act.

Hearing Date: 1/31/03

Staff: Aaron Anderson (786-7119), Edie Adams (786-7180).

Background:

Ownership of dangerous animals is restricted in Washington by the Department of Fish and Wildlife, which has authority to regulate ownership of wildlife. Fish and Wildlife rules currently outlaw ownership of certain "deleterious exotic wildlife" that threatens native animals, and regulate ownership of certain wild animals naturally found in the state.

Animal control is regulated on the city and county level in Washington. Some cities and counties currently ban the ownership of certain classes of animals. These include King and Pierce counties, as well as the cities of Spokane, Bellevue, and Everett. For example, King County bans ownership of venomous snakes, nonhuman primates, bears, nondomesticated felines (cats) and canines (wolves and coyotes), and crocodiles. Persons possessing such animals prior to the act's

effective date in 1994 were allowed to receive licenses from the county, provided they met certain requirements.

In areas where no animal control authority exists, the local sheriff's office enforces local animal control ordinances, if any exist.

Summary of Bill:

Possession of "dangerous wild animals" is prohibited, unless a person already owns a listed animal and obtains a permit. A detailed definition of "dangerous wild animal" is created, including large cats, wolves, bears, binturongs, kinkajous, coatis, hyenas, kangaroos, rhinoceroses, all primates, elephants, water monitors, certain iguanas, boomslangs, coral snakes, cobras, copperheads, rattlesnakes, crocodiles, and alligators. Animal control authorities are given authority to designate other animals within their jurisdiction as dangerous.

Certain entities are exempted from the provisions of the act. These include: zoos and aquariums; veterinary hospitals; wildlife sanctuaries; licensed or accredited research, medical, or educational institutions; circuses and rodeos; persons temporarily transporting animals through the state; and individuals possessing monkeys specially trained to assist humans.

Persons possessing dangerous wild animals prior to the effective date of the act may apply for a permit from an animal control authority. Detailed requirements for permits are established, including safeguards for control and recovery of the animal, liability insurance, and microchip tagging. The possessor is liable for all costs of recovery should the animal escape. All dangerous wild animals must be spayed or neutered at the expense of the possessor. Permits are not required until December 31, 2003, must be obtained by June 30, 2004, and must be renewed annually.

Animal control authorities must create a permit program by December 31, 2003. Implementation of prohibitions under the act also begins on that date. Animal control authorities with pre-existing processes for determining "dangerous" animals may declare animals not listed in the act to be "dangerous" and apply the provisions of the act to such animals.

A violation of the act is punishable as either a misdemeanor or gross misdemeanor, depending on the type of violation. For example, misdemeanors created by the act include possession of a dangerous wild animal without a permit, failure to implant a dangerous wild animal with a microchip, failure to neuter or spay a dangerous wild animal, failure to post warning signs, failure to allow access to the premises where the animal is kept, and failure to report the escape of a dangerous wild animal.

Examples of gross misdemeanors created by the act include owning a dangerous wild animal without complying with the new chapter, breeding a dangerous wild animal, failure to notify the animal control authority of changes to information on a permit, failure to comply with animal care standards, tethering or chaining an animal outdoors, neglecting or mistreating a dangerous wild animal, failure to maintain the required level of liability insurance, bringing a dangerous wild animal to a public venue without approval, failure to post bond for care of a dangerous wild animal following confiscation of the animal, and intentional release of a dangerous wild animal.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.