

HOUSE BILL REPORT

SSB 6560

As Passed House:

March 4, 2004

Title: An act relating to animal cruelty.

Brief Description: Concerning animal cruelty.

Sponsors: By Senate Committee on Parks, Fish & Wildlife (originally sponsored by Senators Oke, Fraser, Swecker, Kline, Kohl-Welles, Jacobsen, Thibaudeau, Fairley and Winsley).

Brief History:

Committee Activity:

Judiciary: 2/27/04 [DP].

Floor Activity:

Passed House: 3/4/04, 95-0.

Brief Summary of Substitute Bill

- Makes it a gross misdemeanor for a person to utilize, or attempt to use, a hook with the intent to pierce the flesh or mouth of a bird or mammal.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

Staff: Trudes Tango Hutcheson (786-7384).

Background:

Animal cruelty in the first degree, a class C felony, involves intentionally inflicting substantial pain on, causing physical injury to, or killing an animal by a means that causes undue suffering. A class C felony is punishable by up to five years imprisonment and up to a \$10,000 fine.

In addition to the more general animal cruelty statute, there are various laws under the fish and wildlife code that govern trapping. A state trapping license allows a person to trap mammals, but it is a gross misdemeanor to use body-gripping traps. Limited use of certain traps, such as padded leghold traps or nonstrangling foot snares, are allowed if the person obtains a special permit from the Department of Fish and Wildlife. There is no statute explicitly prohibiting the use of hooks for trapping birds or mammals.

Summary of Bill:

The crime of unlawful use of a hook, a gross misdemeanor, is created in the animal cruelty statutes. A person is guilty of the unlawful use of a hook if the person utilizes, or attempts to use, a hook with the intent to pierce the flesh or mouth of a bird or mammal.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: A person's pet can get hooked on baited hooks used for trapping. Hooks have been used for trapping ever since the passage of the initiative that banned more humane ways of trapping. This bill fixes a gap in the law.

Testimony Against: None.

Persons Testifying: Senator Oke, prime sponsor; and Senator Fraser, sponsor.

Persons Signed In To Testify But Not Testifying: None.