

SENATE BILL REPORT

SHB 2090

As Reported By Senate Committee On:
Judiciary, February 25, 2004

Title: An act relating to search and rescue dogs.

Brief Description: Prohibiting interference with search and rescue dogs.

Sponsors: House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Clements, Sump and Orcutt).

Brief History:

Committee Activity: Judiciary: 2/18/04, 2/25/04 [DPA].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Haugen, Johnson, Kline, Roach and Thibaudeau.

Staff: Lidia Mori (786-7755)

Background: Many city and county governments operate search and rescue units and there are also local volunteer units throughout the state. These units are responsible for searching, rescuing, and recovering any person who becomes lost, injured, or is killed while outdoors or as a result of a natural, technological, or human caused disaster. Many of these units use search and rescue dogs to help in their missions.

Summary of Amended Bill: It is a misdemeanor for any person, after receiving a warning about his or her behavior, to continue, with reckless disregard, to interfere with the use of a search and rescue dog by obstructing, intimidating, or jeopardizing the safety of the dog or his or her user. A person who, with reckless disregard, allows his or her dog to interfere with the use of a search and rescue dog is also committing a misdemeanor. A second or subsequent offense of these misdemeanors is a gross misdemeanor.

A person who, with reckless disregard, injures, disables, or causes the death of a search and rescue dog or allows his or her dog to injure, disable, or cause the death of a search and rescue dog is guilty of a gross misdemeanor. It is an unranked class C felony to intentionally injure, disable, or cause the death of a search and rescue dog.

It is a seriousness level II, class B felony to wrongfully obtain or exert authorized control over a search and rescue dog with intent to deprive the dog user of his or her dog.

A person convicted of any of the above listed crimes is required to make restitution for all damages, including incidental and consequential expenses incurred by the search and rescue dog and his or her user which arose out of, or were related to the criminal offense. Restitution includes: (1) the value of the replacement of an incapacitated or a deceased search and rescue

dog; (2) the training of a replacement dog or the retraining of the affected dog and all related veterinary and care expenses; and (3) medical expenses of the search and rescue dog user, training of the dog user, and compensation for wages or earned income lost by the dog user.

Amended Bill Compared to Substitute Bill: The amended bill contains a technical correction. The misdemeanor offense of interfering with a search and rescue dog is placed in a separate subsection from a subsequent offense which is a gross misdemeanor.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: None.

Testimony Against: None.

Testified: No one.