
SUBSTITUTE HOUSE BILL 2090

State of Washington 58th Legislature 2003 Regular Session

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

READ FIRST TIME 03/05/03.

1 AN ACT Relating to search and rescue dogs; adding a new section to
2 chapter 9.91 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.91 RCW
5 to read as follows:

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

14 (b) Any person who, with reckless disregard, allows his or her dog
15 to interfere with the use of a search and rescue dog by obstructing,
16 intimidating, or otherwise jeopardizing the safety of the search and
17 rescue dog user or his or her search and rescue dog is guilty of a
18 misdemeanor punishable according to chapter 9A.20 RCW, except that for
19 a second or subsequent offense it is a gross misdemeanor.

1 (2)(a) Any person who, with reckless disregard, injures, disables,
2 or causes the death of a search and rescue dog is guilty of a gross
3 misdemeanor punishable according to chapter 9A.20 RCW.

4 (b) Any person who, with reckless disregard, allows his or her dog
5 to injure, disable, or cause the death of a search and rescue dog is
6 guilty of a gross misdemeanor punishable according to chapter 9A.20
7 RCW.

8 (3) Any person who intentionally injures, disables, or causes the
9 death of a search and rescue dog is guilty of a class C felony.

10 (4) Any person who wrongfully obtains or exerts unauthorized
11 control over a search and rescue dog with the intent to deprive the dog
12 user of his or her search and rescue dog is guilty of theft in the
13 first degree under RCW 9A.56.030.

14 (5)(a) In any case in which the defendant is convicted of a
15 violation of this section, he or she shall also be ordered to make full
16 restitution for all damages, including incidental and consequential
17 expenses incurred by the search and rescue dog user and the dog that
18 arise out of, or are related to, the criminal offense.

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

21 (i) The value of the replacement of an incapacitated or deceased
22 dog, the training of a replacement search and rescue dog, or retraining
23 of the affected dog and all related veterinary and care expenses; and

24 (ii) Medical expenses of the search and rescue dog user, training
25 of the dog user, and compensation for any wages or earned income lost
26 by the search and rescue dog user as a result of a violation of
27 subsection (1), (2), (3), or (4) of this section.

28 (6) Nothing in this section affects any civil remedies available
29 for violation of this section.

30 (7) For purposes of this section, "search and rescue dog" means a
31 dog that is trained for the purpose of search and rescue of persons
32 lost or missing.

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