

# FINAL BILL REPORT

## SSB 6417

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### C 191 L 06

Synopsis as Enacted

**Brief Description:** Changing provisions relating to animal cruelty.

**Sponsors:** Senate Committee on Judiciary (originally sponsored by Senators Roach, Kline, Jacobsen, Esser, Weinstein, Thibaudeau, Benson, Rasmussen, Schmidt, Carrell, Morton, Deccio, Stevens, Mulliken, McCaslin, Hargrove and Delvin).

#### **Senate Committee on Judiciary**

#### **House Committee on Criminal Justice & Corrections**

**Background:** Washington law prohibits certain behaviors which are defined as cruelty to animals. Some of the behaviors prohibited are starvation, dehydration, or suffocation of an animal that causes it substantial and unjustifiable pain; causing animals to fight; intentionally poisoning an animal except for humane euthanasia or reasonable use of pest poison; and intentionally causing the physical injury or death of an animal by a means involving undue suffering. A behavior that is not prohibited under Washington law is sexual activity between a human being and an animal, or bestiality.

Thirty-one other states have laws prohibiting bestiality. A recent bestiality case in Washington, in which a man died, brought this conduct to the attention of many who did not know such behavior was occurring or thought it was already prohibited by law.

**Summary:** Animal cruelty in the first degree is committed when a person knowingly engages in sexual conduct or sexual contact with an animal. It also occurs when a person knowingly causes or aids another person to engage in sexual conduct or sexual contact with an animal. A person who knowingly permits such conduct or contact with an animal to occur on premises under his or her control or who knowingly participates as an observer, organizer, promoter, or advertiser of such conduct is also guilty of animal cruelty in the first degree. Animal cruelty in the first degree that is committed by engaging in any of the four above described types of conduct is a class C felony and is ranked at seriousness level III.

In addition to the penalties in statute for a class C felony, the court may order that the convicted person: (1) refrain from harboring or owning animals or residing in a household where animals are present; (2) participate in appropriate counseling; and (3) reimburse the animal shelter or humane society for costs incurred for the care of any animals taken to the shelter or humane society as a result of the offender's criminal behavior. If the court has reasonable grounds to believe sexual conduct or sexual contact with an animal has occurred, it may order the seizure of all animals involved in the violation. An exemption is created for accepted animal husbandry practices or accepted veterinary medical practices by a licensed veterinarian or certified veterinary technician. Sexual conduct and sexual contact are defined in the legislation.

**Votes on Final Passage:**

Senate 36 0  
House 98 0

**Effective:** June 7, 2006