

FINAL BILL REPORT

SSB 5227

C 376 L 07
Synopsis as Enacted

Brief Description: Increasing the penalty for animal abandonment.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Tom, Kline, Carrell, Rasmussen, Stevens, Shin, Roach, McAuliffe, Weinstein, Jacobsen, Kohl-Welles and Kilmer).

Senate Committee on Judiciary
House Committee on Judiciary

Background: Animal abandonment is included within the general crime of animal cruelty in the second degree. There is currently no definition provided in statute for the word abandonment. Animal cruelty in the second degree is currently a misdemeanor offense punishable by up to 90 days in jail and a \$1,000 fine. Proponents of the bill feel that it is necessary to differentiate between two areas in the crime of animal cruelty in the second degree; those of neglect versus abandonment.

Summary: The crime of second-degree animal cruelty, if committed by an owner who abandons the animal, is a gross misdemeanor offense. If the abandonment results in bodily harm to the animal or creates an imminent and substantial risk of substantial bodily harm to the animal, the affirmative defense of economic distress does not apply to second degree animal cruelty when committed by abandoning the animal.

"Abandons" is defined as the knowing or reckless desertion of an animal by its owner or the causing of the animal to be abandoned by its owner, in any place, without making provision for the animal's adequate care.

Votes on Final Passage:

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| Senate | 47 | 1 | |
| House | 98 | 0 | (House amended) |
| Senate | 47 | 1 | (Senate concurred) |

Effective: July 22, 2007