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HOUSE BILL 2547

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State of Washington

60th Legislature

2008 Regular Session

By Representatives Dunshee, Lantz, Appleton, Moeller, Williams, Eddy, Roberts, Hudgins, Campbell, Nelson, Sullivan, Upthegrove, Chase, and Simpson

Prefiled 01/08/08. Read first time 01/14/08. Referred to Committee on Judiciary.

1 AN ACT Relating to preventing cruelty to canines; and amending RCW  
2 16.52.117 and 16.52.011.

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

4 **Sec. 1.** RCW 16.52.117 and 2006 c 287 s 1 are each amended to read  
5 as follows:

6 (1) A person commits the crime of animal fighting if the person  
7 knowingly does any of the following:

8 (a) Owns, possesses, keeps, breeds, trains, buys, sells, or  
9 advertises or offers for sale any animal with the intent that the  
10 animal shall be engaged in an exhibition of fighting with another  
11 animal;

12 (b) Knowingly promotes, organizes, conducts, participates in, is a  
13 spectator of, advertises, prepares, or performs any service in the  
14 furtherance of, an exhibition of animal fighting, transports spectators  
15 to an animal fight, or provides or serves as a stakeholder for any  
16 money wagered on an animal fight at any place or building;

17 (c) Keeps or uses any place for the purpose of animal fighting, or  
18 manages or accepts payment of admission to any place kept or used for  
19 the purpose of animal fighting;

1 (d) Suffers or permits any place over which the person has  
2 possession or control to be occupied, kept, or used for the purpose of  
3 an exhibition of animal fighting; (~~or~~)

4 (e) Takes, leads away, possesses, confines, sells, transfers, or  
5 receives a stray animal or a pet animal, with the intent to deprive the  
6 owner of the pet animal, and with the intent of using the stray animal  
7 or pet animal for animal fighting, or for training or baiting for the  
8 purpose of animal fighting; or

9 (f) Directs, commands, or facilitates a canine in his or her  
10 possession or control to injure or kill another canine.

11 (2) A person who violates this section is guilty of a class C  
12 felony punishable under RCW 9A.20.021.

13 (3) Except for the provisions of subsection (1)(f) of this section,  
14 nothing in this section prohibits the following:

15 (a) The use of dogs in the management of livestock, as defined by  
16 chapter 16.57 RCW, by the owner of the livestock or the owner's  
17 employees or agents or other persons in lawful custody of the  
18 livestock;

19 (b) The use of dogs in hunting as permitted by law; or

20 (c) The training of animals or the use of equipment in the training  
21 of animals for any purpose not prohibited by law.

22 (4) For the purposes of this section, "animal" means (~~dogs~~)  
23 canines or male chickens.

24 **Sec. 2.** RCW 16.52.011 and 2007 c 376 s 2 are each amended to read  
25 as follows:

26 (1) Principles of liability as defined in chapter 9A.08 RCW apply  
27 to this chapter.

28 (2) Unless the context clearly requires otherwise, the definitions  
29 in this section apply throughout this chapter.

30 (a) "Abandons" means the knowing or reckless desertion of an animal  
31 by its owner or the causing of the animal to be deserted by its owner,  
32 in any place, without making provisions for the animal's adequate care.

33 (b) "Animal" means any nonhuman mammal, bird, reptile, or  
34 amphibian.

35 (c) "Animal care and control agency" means any city or county  
36 animal control agency or authority authorized to enforce city or county  
37 municipal ordinances regulating the care, control, licensing, or

1 treatment of animals within the city or county, and any corporation  
2 organized under RCW 16.52.020 that contracts with a city or county to  
3 enforce the city or county ordinances governing animal care and  
4 control.

5 (d) "Animal control officer" means any individual employed,  
6 contracted, or appointed pursuant to RCW 16.52.025 by an animal care  
7 and control agency or humane society to aid in the enforcement of  
8 ordinances or laws regulating the care and control of animals. For  
9 purposes of this chapter, the term "animal control officer" shall be  
10 interpreted to include "humane officer" as defined in ~~((+f+))~~ (g) of  
11 this subsection and RCW 16.52.025.

12 (e) "Canine" means any member of the taxonomical family Canidea,  
13 and includes domestic dogs, coyotes, foxes, and wolves.

14 (f) "Euthanasia" means the humane destruction of an animal  
15 accomplished by a method that involves instantaneous unconsciousness  
16 and immediate death, or by a method that causes painless loss of  
17 consciousness, and death during the loss of consciousness.

18 ~~((+f+))~~ (g) "Humane officer" means any individual employed,  
19 contracted, or appointed by an animal care and control agency or humane  
20 society as authorized under RCW 16.52.025.

21 ~~((+g+))~~ (h) "Law enforcement agency" means a general authority  
22 Washington law enforcement agency as defined in RCW 10.93.020.

23 ~~((+h+))~~ (i) "Necessary food" means the provision at suitable  
24 intervals of wholesome foodstuff suitable for the animal's age and  
25 species and sufficient to provide a reasonable level of nutrition for  
26 the animal.

27 ~~((+i+))~~ (j) "Owner" means a person who has a right, claim, title,  
28 legal share, or right of possession to an animal or a person having  
29 lawful control, custody, or possession of an animal.

30 ~~((+j+))~~ (k) "Person" means individuals, corporations, partnerships,  
31 associations, or other legal entities, and agents of those entities.

32 ~~((+k+))~~ (l) "Substantial bodily harm" means substantial bodily harm  
33 as defined in RCW 9A.04.110.

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