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**SUBSTITUTE HOUSE BILL 2191**

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**State of Washington**

**62nd Legislature**

**2012 Regular Session**

**By** House Public Safety & Emergency Preparedness (originally sponsored by Representatives Rivers, Blake, Klippert, Hurst, Haler, Takko, Alexander, Hope, Harris, and Reykdal)

READ FIRST TIME 01/31/12.

1       AN ACT Relating to police dogs; amending RCW 16.08.040 and  
2 9A.76.200; and prescribing penalties.

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

4       **Sec. 1.** RCW 16.08.040 and 1941 c 77 s 1 are each amended to read  
5 as follows:

6       (1) The owner of any dog which shall bite any person while such  
7 person is in or on a public place or lawfully in or on a private place  
8 including the property of the owner of such dog, shall be liable for  
9 such damages as may be suffered by the person bitten, regardless of the  
10 former viciousness of such dog or the owner's knowledge of such  
11 viciousness.

12       (2) This section does not apply to the lawful application of a  
13 police dog, as defined in RCW 4.24.410.

14       **Sec. 2.** RCW 9A.76.200 and 2003 c 269 s 1 are each amended to read  
15 as follows:

16       (1) A person is guilty of harming a police dog, accelerant  
17 detection dog, or police horse, if he or she maliciously injures,  
18 disables, shoots, or kills by any means any dog or horse that the

1 person knows or has reason to know to be a police dog or accelerant  
2 detection dog, as defined in RCW 4.24.410, or police horse, as defined  
3 in subsection (2) of this section, whether or not the dog or horse is  
4 actually engaged in police or accelerant detection work at the time of  
5 the injury.

6 (2) "Police horse" means any horse used or kept for use by a law  
7 enforcement officer in discharging any legal duty or power of his or  
8 her office.

9 (3) Harming a police dog, accelerant detection dog, or police horse  
10 is a class C felony.

11 (4)(a) In addition to the criminal penalty provided in this section  
12 for harming a police dog, the court may impose the following civil  
13 penalties:

14 (i) A fine of five thousand dollars for harming a police dog;

15 (ii) A fine of ten thousand dollars for killing a police dog.

16 (b) The fines imposed in this subsection (4) may not be reversed.

17 Moneys collected must be distributed to the jurisdiction that owns the  
18 police dog.

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