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**SUBSTITUTE HOUSE BILL 1018**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** House Judiciary (originally sponsored by Representatives Appleton, Gregerson, Reykdal, Goodman, and Buys)

AN ACT Relating to preventing breed-based dog regulations; adding a new section to chapter 16.08 RCW; creating a new section; and providing an effective date.

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

NEW SECTION. **Sec.**  (1) A number of local jurisdictions have enacted ordinances prohibiting or placing additional restrictions on specific breeds of dogs. While the legislature recognizes that local jurisdictions have a valid public safety interest in protecting citizens from dog attacks, the legislature finds that a dog's breed is not inherently indicative of whether or not a dog is dangerous and that the criteria for determining whether or not a dog is dangerous or potentially dangerous should be focused on the dog's behavior.

(2) The legislature further finds that breed-specific ordinances fail to address the factors that cause dogs to become aggressive and place an undue hardship on responsible dog owners who provide proper socialization and training. The legislature intends to encourage local jurisdictions to more effectively and fairly control dangerous dogs and enhance public safety by focusing on dogs' behavior rather than their breeds.

NEW SECTION. **Sec.**  A new section is added to chapter 16.08 RCW to read as follows:

(1) Except as specified in subsection (2) of this section, a city or county may not prohibit possession of a dog based upon its breed, impose requirements specific to possession of a dog based upon its breed, or declare a dog to be dangerous or potentially dangerous based upon its breed.

(2) Any city or county that had in effect, on January 1, 2016, an ordinance or regulation that prohibits possession of a dog based upon its breed, imposes requirements specific to possession of a dog based upon its breed, or declares a dog dangerous or potentially dangerous based on its breed is exempt from subsection (1) of this section, provided that all of the following conditions are met:

(a) The city or county has established and maintains a reasonable process for exempting any dog from breed-based regulations or a breed ban if the dog passes the American kennel club canine good citizen test or a reasonably equivalent canine behavioral test as determined by the city or county;

(b) Dogs that pass the American kennel club canine good citizen test or a reasonably equivalent canine behavioral test are exempt from breed-based regulations for a period of at least two years;

(c) Dogs that pass the American kennel club canine good citizen test or a reasonably equivalent canine behavioral test are given the opportunity to retest to maintain their exemption from breed-based regulations;

(d) Dogs that fail the American kennel club canine good citizen test or a reasonably equivalent canine behavioral test are given the opportunity to retest within a reasonable period of time, as determined by the city or county; and

(e) The city or county does not apply more stringent breed-based regulations than were in effect in its jurisdiction on January 1, 2016.

(3) This section does not prohibit a city or county from documenting either a dog's breed or its physical appearance, or both, for identification purposes when declaring a dog dangerous or potentially dangerous.

(4) For the purpose of this section, "dog" means a domesticated member of the family canidae, specifically species *Canus lupus familiaris*, and excludes nondomesticated members of the family canidae and any hybrids thereof, including but not limited to wolves, coyotes, wolf-dog hybrids, and coyote-dog hybrids.

NEW SECTION. **Sec.**  This act takes effect January 1, 2017.

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