
SENATE BILL 5804

State of Washington 65th Legislature 2017 Regular Session

By Senators Fain, Palumbo, Bailey, and Billig

Read first time 02/13/17. Referred to Committee on Law & Justice.

1 AN ACT Relating to the creation of an animal abuse registry;
2 adding a new chapter to Title 16 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.

7 (1) "Animal abuse offense" means the criminal offense of:

8 (a) Animal cruelty in the first degree (RCW 16.52.205);

9 (b) Animal cruelty in the second degree (RCW 16.52.207);

10 (c) Animal fighting (RCW 16.52.117); and

11 (d) Poisoning animals (RCW 16.52.190).

12 (2) "Animal abuser" or "abuser" means a person over eighteen
13 years of age or a minor who has been tried as an adult and convicted
14 of an animal abuse offense.

15 (3) "Animal adoption programs" means adoption activities of any
16 animal shelter, humane society, or any other organization or entity
17 that seeks owners for homeless animals from among the public.

18 (4) "Conviction" means a judgment entered by a Washington court
19 upon a plea of guilty, or a finding of guilt by a jury or the court,
20 notwithstanding any pending appeal or habeas corpus proceeding

1 arising from the judgment. Conviction includes a deferred prosecution
2 under chapter 10.05 RCW, or an equivalent disposition.

3 NEW SECTION. **Sec. 2.** (1) The Washington state patrol must
4 maintain a registry of persons convicted of an animal abuse offense
5 and make the registry available for inquiry to: (a) All law
6 enforcement entities within the state including animal control
7 agencies; (b) veterinarians licensed under chapter 18.92 RCW to
8 practice veterinary medicine in this state; (c) humane societies,
9 animal shelters, animal-welfare organizations, and other groups
10 involved in companion animal adoption programs; and (d) animal
11 breeders and retail operators that sell pets. The registry
12 information must not be available to the general public or entities
13 and individuals not listed in (a) through (d) of this subsection.

14 (2) The registry of persons convicted of an animal abuse offense
15 must include the person's name, date of birth, residential address,
16 all animal abuse offense convictions, conviction dates, municipal,
17 county, and state convictions, and other identifying data as the
18 Washington state patrol determines is necessary for the public to
19 properly identify the person. The Washington state patrol may use the
20 driver's license photograph of the animal abuser maintained by the
21 department of licensing for the registry. If no driver's license
22 photograph is available, the Washington state patrol must use the
23 photograph taken at the animal abuser's arrest.

24 (3) The clerk of the court in which a person's conviction for an
25 animal abuse offense occurs must forward, electronically or
26 otherwise, a copy of the judgment document of the conviction, the
27 animal abuser's home address, and other information set out in
28 subsection (2) of this section. The information must be forwarded to
29 the Washington state patrol within sixty calendar days of the date of
30 judgment.

31 NEW SECTION. **Sec. 3.** (1) Within forty-eight hours of changing
32 residence, an animal abuser must notify the Washington state patrol
33 of the change of address.

34 (2) An animal abuser who does not maintain a residence in this
35 state remains subject to the registration requirements of this
36 chapter.

1 NEW SECTION. **Sec. 4.** (1) An animal abuser who is subject to
2 registration pursuant to this chapter must be assessed a fee of fifty
3 dollars at the time of conviction.

4 (2) The fee assessed under subsection (1) of this section must be
5 used for the sole purpose of defraying the costs of administering
6 this chapter.

7 NEW SECTION. **Sec. 5.** (1) Upon a person's first conviction for
8 an animal abuse offense, the Washington state patrol must maintain
9 the person's name and other identifying information, described in
10 section 2(2) of this act for two years following the date of
11 conviction after which time the person's name and identifying
12 information must be removed from the registry unless the person is
13 convicted of another animal abuse offense during that two-year
14 period.

15 (2) Upon a person's subsequent conviction for an animal abuse
16 offense, the Washington state patrol must maintain the person's name
17 and other identifying information described in section 2(2) of this
18 act in the registry for five years following the date of the most
19 recent conviction, after which time the person's name and identifying
20 information must be removed from the list unless the person is
21 convicted of another animal abuse offense during that five-year
22 period.

23 (3) Upon receipt of notice of the death of a registered animal
24 abuser, as evidenced by a death certificate, the Washington state
25 patrol must remove all data pertaining to the deceased animal abuser
26 from the registry.

27 NEW SECTION. **Sec. 6.** Any person who is subject to registration
28 on the animal abuse registry may not own or adopt an animal, or have
29 employment, or serve as a volunteer at any humane society, animal
30 shelter, animal-welfare organization, animal breeder, retail operator
31 that sell pets, or any other group involved in an animal adoption
32 program.

33 NEW SECTION. **Sec. 7.** The Washington state patrol may adopt
34 rules necessary to implement and administer the provisions of this
35 chapter.

1 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act
2 constitute a new chapter in Title 16 RCW.

--- END ---