
HOUSE BILL 1424

State of Washington

67th Legislature

2021 Regular Session

By Representatives Walen, Ybarra, Springer, Simmons, Ramel, and Berg

Read first time 01/29/21. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to consumer protection with respect to the sale
2 of dogs and cats; amending RCW 16.52.310; adding a new section to
3 chapter 16.52 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 16.52
6 RCW to read as follows:

7 (1) Except as provided in this section, a retail pet store may
8 not sell or offer for sale any dog or cat.

9 (2) A retail pet store that sold or offered for sale any dog
10 prior to the effective date of this section may sell or offer for
11 sale a dog only if the retail pet store meets the following
12 requirements:

13 (a) Any dog sold or offered for sale must be sold or offered for
14 sale only at the address identified as the location address on the
15 retail pet store's business license, as defined in RCW 19.02.020, as
16 of the effective date of this section;

17 (b) Any dog sold or offered for sale must be obtained directly
18 from a breeder who, on the date the dog is obtained, is licensed by
19 the United States department of agriculture pursuant to the federal
20 animal welfare act, 7 U.S.C. Sec. 2131 et seq.;

1 (c) All dogs sold or offered for sale by a retail pet store must
2 be obtained directly from a breeder who, whether located in state or
3 out of state, has maintained compliance with RCW 16.52.310 throughout
4 the three-year period ending on the date each dog was obtained from
5 the breeder;

6 (d) A retail pet store must, prior to obtaining a dog from a
7 breeder, obtain all inspection reports for the breeder created by the
8 United States department of agriculture within the previous three
9 years. A retail pet store must maintain and, upon request, produce
10 the records for a period of five years following the sale of a dog
11 obtained from the breeder after the effective date of this section;
12 and

13 (e) A retail pet store must disclose the full name and United
14 States department of agriculture license number of the breeder from
15 which the dog was obtained by posting the information prominently on
16 the cage or enclosure of each dog offered for sale and on any
17 advertisement for the sale of a dog, whether the advertisement
18 appears on the internet or in any other form, forum, or media.

19 (3) Local animal care and control agencies are responsible for
20 enforcement of this section. A retail pet store that violates this
21 section is subject to a class 1 civil infraction under RCW 7.80.120,
22 for its first violation. Second and subsequent violations by a retail
23 pet store are subject to a monetary penalty of \$500. Any retail pet
24 store with three or more violations is prohibited from selling or
25 offering to sell any dogs. Each dog or cat offered for sale or sold
26 by a retail pet store in violation of this section constitutes a
27 separate violation.

28 (4) For the purposes of this section, "retail pet store" means a
29 for-profit place of business that sells or offers for sale pet
30 supplies or pets. A person who offers for sale, directly to the
31 public, only animals that the person bred and raised, is not
32 considered a retail pet store.

33 **Sec. 2.** RCW 16.52.310 and 2009 c 286 s 2 are each amended to
34 read as follows:

35 (1) A person may not own, possess, control, or otherwise have
36 charge or custody of more than fifty dogs with intact sexual organs
37 over the age of six months at any time.

38 (2) Any person who owns, possesses, controls, or otherwise has
39 charge or custody of more than ten dogs with intact sexual organs

1 over the age of six months and keeps the dogs in an enclosure for the
2 majority of the day must at a minimum:

3 (a) Provide space to allow each dog to turn about freely, to
4 stand, sit, and lie down. The dog must be able to lie down while
5 fully extended without the dog's head, tail, legs, face, or feet
6 touching any side of an enclosure and without touching any other dog
7 in the enclosure when all dogs are lying down simultaneously. The
8 interior height of the enclosure must be at least six inches higher
9 than the head of the tallest dog in the enclosure when it is in a
10 normal standing position. Each enclosure must be at least three times
11 the length and width of the longest dog in the enclosure, from tip of
12 nose to base of tail and shoulder blade to shoulder blade.

13 (b) Provide each dog that is over the age of four months with a
14 minimum of one exercise period during each day for a total of not
15 less than one hour of exercise during such day. Such exercise must
16 include either leash walking or giving the dog access to an enclosure
17 at least four times the size of the minimum allowable enclosure
18 specified in (a) of this subsection allowing the dog free mobility
19 for the entire exercise period, but may not include use of a cat
20 mill, jenny mill, slat mill, or similar device, unless prescribed by
21 a doctor of veterinary medicine. The exercise requirements in this
22 subsection do not apply to a dog certified by a doctor of veterinary
23 medicine as being medically precluded from exercise.

24 (c) Maintain adequate housing facilities and primary enclosures
25 that meet the following requirements at a minimum:

26 (i) Housing facilities and primary enclosures must be kept in a
27 sanitary condition. Housing facilities where dogs are kept must be
28 sufficiently ventilated at all times to minimize odors, drafts,
29 ammonia levels, and to prevent moisture condensation. Housing
30 facilities must have a means of fire suppression, such as functioning
31 fire extinguishers, on the premises and must have sufficient lighting
32 to allow for observation of the dogs at any time of day or night;

33 (ii) Housing facilities must enable all dogs to remain dry and
34 clean;

35 (iii) Housing facilities must provide shelter and protection from
36 extreme temperatures and weather conditions that may be uncomfortable
37 or hazardous to the dogs;

38 (iv) Housing facilities must provide sufficient shade to shelter
39 all the dogs housed in the primary enclosure at one time;

1 (v) A primary enclosure must have floors that are constructed in
2 a manner that protects the dogs' feet and legs from injury;

3 (vi) Primary enclosures must be placed no higher than forty-two
4 inches above the floor and may not be placed over or stacked on top
5 of another cage or primary enclosure;

6 (vii) Feces, hair, dirt, debris, and food waste must be removed
7 from primary enclosures at least daily or more often if necessary to
8 prevent accumulation and to reduce disease hazards, insects, pests,
9 and odors; and

10 (viii) All dogs in the same enclosure at the same time must be
11 compatible, as determined by observation. Animals with a vicious or
12 aggressive disposition must never be placed in an enclosure with
13 another animal, except for breeding purposes. Breeding females in
14 heat may not be in the same enclosure at the same time with sexually
15 mature males, except for breeding purposes. Breeding females and
16 their litters may not be in the same enclosure at the same time with
17 other adult dogs. Puppies under twelve weeks may not be in the same
18 enclosure at the same time with other adult dogs, other than the dam
19 or foster dam unless under immediate supervision.

20 (d) Provide dogs with easy and convenient access to adequate
21 amounts of clean food and water. Food and water receptacles must be
22 regularly cleaned and sanitized. All enclosures must contain potable
23 water that is not frozen, is substantially free from debris, and is
24 readily accessible to all dogs in the enclosure at all times.

25 (e) Provide veterinary care without delay when necessary. A dog
26 may not be bred if a veterinarian determines that the animal is unfit
27 for breeding purposes. Only dogs between the ages of twelve months
28 and eight years of age may be used for breeding. Animals requiring
29 euthanasia must be euthanized only by a licensed veterinarian.

30 (3) A person who violates subsection (1) or (2) of this section
31 is guilty of a gross misdemeanor.

32 (4) This section does not apply to the following:

33 (a) A publicly operated animal control facility or animal
34 shelter;

35 (b) A private, charitable not-for-profit humane society or animal
36 adoption organization;

37 (c) A veterinary facility;

38 (d) A retail pet store;

39 (e) A research institution;

40 (f) A boarding facility; or

1 (g) A grooming facility.

2 (5) Subsection (1) of this section does not apply to a commercial
3 dog breeder licensed, before January 1, 2010, by the United States
4 department of agriculture pursuant to the federal animal welfare act
5 (Title 7 U.S.C. Sec. 2131 et seq.) that has maintained the license
6 without interruption since January 1, 2010.

7 (6) For the purposes of this section, the following definitions
8 apply, unless the context clearly requires otherwise:

9 (a) "Dog" means any member of *Canis lupus familiaris*; and

10 (b) "Retail pet store" means a commercial establishment that
11 engages in a for-profit business of selling at retail cats, dogs, or
12 other animals to be kept as household pets and is regulated by the
13 United States department of agriculture.

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