

FINAL BILL REPORT

HB 1418

C 238 L 07

Synopsis as Enacted

Brief Description: Protecting consumers from the keeping of dangerous wild animals.

Sponsors: By Representatives Lovick, Campbell, Lantz, O'Brien, Upthegrove and Williams.

House Committee on Judiciary

Senate Committee on Consumer Protection & Housing

Background:

Wild animals may be subject to regulation under federal, state, or local laws. For example, federal law generally prohibits the sale, purchase, or possession of endangered species. In addition, under the federal Animal Welfare Act, the United States Department of Agriculture licenses and regulates animal dealers and exhibitors, including those dealing with exotic animals.

In Washington, the Department of Fish and Wildlife (Department) has authority to regulate ownership of wildlife. The Department rules outlaw ownership of certain "deleterious exotic wildlife" that threaten native animals, such as fallow deer, mongoose, and wild boars. In addition, the Department regulates the ownership of certain wild animals naturally found in the state.

Animal control is generally regulated on the city and county level in Washington, with enforcement by either local animal control authorities or local law enforcement. A number of local jurisdictions have passed ordinances either banning or regulating certain exotic animals. These include every county except for San Juan, Jefferson, and Yakima, as well as the cities of Spokane, Bellingham, Tacoma, and most cities in the vicinity of King County. For example, King County bans ownership of venomous snakes, nonhuman primates, bears, non-domesticated felines (cats) and canines (wolves and coyotes), and crocodiles. Persons possessing these animals prior to the ordinance's effective date in 1994 were allowed to receive licenses from the county, provided they met certain requirements.

Summary:

The possession and breeding of potentially dangerous wild animals is prohibited. "Potentially dangerous wild animal" is defined and includes, among others: large cats, wolves, bears, primates, certain snakes, and crocodiles.

A person who possesses a potentially dangerous wild animal prior to the effective date of the act may keep the animal for the duration of the animal's lifetime, provided the possessor maintains adequate records and can prove possession prior to the effective date of the act.

An animal control authority may confiscate a potentially dangerous wild animal if: (1) it is being kept in violation of the act; (2) it poses a public safety or health risk; or (3) it is in poor health and the animal's condition is attributable to the possessor. The possessor is responsible for the costs of caring for the animal during the confiscation. If the animal is not able to be returned to the possessor, the animal control authority may relocate the animal to a facility such as a zoo, wildlife sanctuary, or other exempted facility, such as a research facility or a circus. If relocation is not possible within a reasonable period of time, the animal control authority may euthanize the animal.

A violation of the act is a civil penalty subject to a fine of between \$200 to \$2,000 for each animal and each day of the violation. Local jurisdictions may adopt ordinances that are stricter than the act, but are not required to adopt ordinances to be in compliance with the act.

Certain entities and persons are exempt from the provisions of the act. These entities include: zoos and aquariums; facilities participating with an association of zoos and aquariums species survival plan; animal protection organizations; veterinary hospitals; wildlife sanctuaries; certain game farms; research facilities registered under the Animal Welfare Act; circuses; persons temporarily transporting animals through the state; and persons displaying animals at a fair approved by the Washington Department of Agriculture.

Votes on Final Passage:

House	63	34	
Senate	34	15	(Senate amended)
House	61	31	(House concurred)

Effective: July 22, 2007