
Judiciary Committee

HB 2861

Title: An act relating to dangerous dogs.

Brief Description: Regarding dangerous dogs.

Sponsors: Representatives Hailey, Haler, Kretz, Schmick and Blake.

Brief Summary of Bill

- Authorizes Fish and Wildlife Officers to use lethal force to remove a feral dog or wolf-dog hybrid that poses a threat to the safety of humans, domestic animals, or livestock.
- Provides that a wolf-dog hybrid is, by definition, a dangerous dog.
- Allows the owner of a dangerous dog to be issued a certificate of ownership, provided that other requirements for issuance of the certificate are met, if the owner guarantees the dangerous dog has at least two forms of qualifying identification, including a microchip, tattoo, or visible tags worn by the dangerous dog.

Hearing Date: 2/1/08

Staff: Lara Zarowsky (786-7123).

Background:

Dangerous Dogs

Dangerous dogs are regulated under state law and may also be regulated under local ordinance. A dangerous dog is one that: (1) inflicts severe injury on a human without provocation; (2) kills a domestic animal while off the owner's property; or (3) is already declared a potentially dangerous dog due to injury to a human, and again bites, attacks, or endangers the safety of humans. A dog cannot be declared dangerous for inflicting an injury to a person who was committing a tort on the owner's premises, tormenting the dog, or committing the crime.

State law requires owners to register dangerous dogs and imposes a number of other requirements on owners of dangerous dogs. These requirements include a proper enclosure for confining the

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dangerous dog, adequate posted warnings on the premises, and a surety bond or liability insurance of at least \$250,000 insuring the owner for any personal injuries inflicted by the dangerous dog.

The dangerous dog statute establishes criminal penalties for violations of the act. In addition, the statute makes it a class C felony if a dog attacks and severely injures a person and the owner knew or should have known that the dog was potentially dangerous.

Fish and Wildlife Officers

Fish and Wildlife Officers, including "ex officio" officers (i.e. those serving by virtue of their office or position) are peace officers who exercise police powers and duties, including the service and execution of warrants, in enforcing the rules of the Fish and Wildlife Department. Fish and Wildlife Officers are charged with the preservation, protection, perpetuation and management of the wildlife, food fish, game fish, and shellfish in State and offshore waters.

The terms "wildlife" and "wild animal" do not include feral domestic mammals.

Summary of Bill:

Fish and Wildlife Officers are authorized to use lethal force against a feral dog, including a wolf-dog hybrid, if it poses a threat to human safety, domestic animals, or livestock.

The meaning of "dangerous dog" is modified to provide that any wolf-dog hybrid is a dangerous dog by definition.

An additional ground for issuance of a certificate of registration to the owner of a dangerous dog is established. The owner shall guarantee that the dangerous dog has at least two of the following forms of identification: (1) a registered animal microchip; (2) an identifying tattoo that is registered with the animal control authority, or (3) clearly visible tags worn by the dangerous dog identifying the current contact information of the owner.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.