

# FINAL BILL REPORT

## HB 1148

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C 439 L 09  
Synopsis as Enacted

**Brief Description:** Protecting animals from perpetrators of domestic violence.

**Sponsors:** Representatives Williams, Rodne, Simpson, Upthegrove, Haigh, Nelson, Rolfes, Sullivan, Hunt, Liias, Chase, Moeller, Goodman, Ormsby, Hurst, Kenney, Kirby, Eddy, Conway, Pedersen, Dunshee, Dickerson, Hasegawa, Sells, Appleton, Campbell and Herrera.

**House Committee on Judiciary**  
**Senate Committee on Judiciary**

### **Background:**

Domestic violence protection orders are civil orders available when there has been domestic violence committed between one family or household member against another. When issuing an order, the court has discretion to order appropriate relief. Domestic violence protection orders may include provisions: (1) restraining the respondent from committing acts of domestic violence or having any contact with the petitioner or the petitioner's children; (2) excluding the respondent from the residence, workplace, or school of the petitioner or from the day care or school of a child; (3) prohibiting the respondent from knowingly coming within a certain distance of a specific location; (4) ordering that the petitioner have access to essential personal effects; and (5) providing any other relief as the court deems necessary for the protection of the petitioner and other family or household members.

Depending on the circumstances, a violation of a domestic violence protection order can constitute contempt of court, a gross misdemeanor, or a felony. It is a gross misdemeanor when a person knows of the order and the person violates the restraint provisions prohibiting contact with a protected party or violates the restraint provisions prohibiting acts or threats of violence against, or stalking of, a protected party. A violation of a protection order becomes a class C felony if the offender has at least two previous convictions for violating the provisions of an order.

A law enforcement officer must arrest and take into custody a person if the officer has probable cause to believe that the person arrested knew of the domestic violence protection order and violated a restraint provision in the order.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary:**

When a court orders that the petitioner have possession and use of essential personal effects, "personal effects" may include pets. The court may order that the petitioner be granted exclusive custody or control of any pet owned or possessed by the petitioner, respondent, or a minor child residing with either the petitioner or the respondent. The court may prohibit the respondent from interfering with the petitioner's efforts to remove the pet and from knowingly coming within, or knowingly remaining within, a specified distance of specified locations where the pet is regularly found.

It is a gross misdemeanor if the person subject to a protection order knows of the order and violates a provision that prohibits interference with the petitioner's efforts to remove the pet.

**Votes on Final Passage:**

|        |    |   |                   |
|--------|----|---|-------------------|
| House  | 95 | 2 |                   |
| Senate | 39 | 5 | (Senate amended)  |
| House  | 94 | 0 | (House concurred) |

**Effective:** July 26, 2009