

FINAL BILL REPORT

SSB 5402

C 287 L 09
Synopsis as Enacted

Brief Description: Regarding the prevention of animal cruelty.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Tom, Carrell, Shin, Delvin, Kline, Fraser, Roach, Kohl-Welles and Marr).

Senate Committee on Judiciary
House Committee on Judiciary

Background: Under current law, the court is required to order the forfeiture of all animals held by law enforcement or animal care and control authorities if any one of the animals involved dies as a result of a violation of this chapter or if the defendant has a prior conviction under this chapter. If the court finds that the animal's treatment was severe or is likely to reoccur, the court may enter an order requiring forfeiture of the animal. If forfeiture is ordered, the owner will be prohibited from owning or caring for any similar animals for two years. The court is allowed to delay its forfeiture decision until the end of the convicted person's two-year probationary period.

The term "similar animals" is not defined.

Summary: "Similar animals" mean animals classified in the same genus.

When a court orders the forfeiture of an animal, the owner will be prohibited from owning or caring for similar animals two years for the first conviction of second degree animal cruelty; permanently for the first conviction of first degree animal cruelty; and permanently for the second, or any subsequent, conviction of animal cruelty. A person may petition the sentencing court for a restoration of the right to own or possess a similar animal five years after the date of the second conviction if that person has no more than two convictions for second degree animal cruelty. The court must consider various factors prior to restoring this right.

Votes on Final Passage:

Senate	43	1	
House	71	27	(House amended)

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.

Senate 42 4 (Senate concurred)

Effective: July 26, 2009