
Judiciary Committee

HB 1201

Title: An act relating to the prevention of animal cruelty.

Brief Description: Preventing animal cruelty.

Sponsors: Representatives Roberts, Haler, Haigh, Hunt, Ryu, Sullivan, Reykdal, Dunshee, Goodman, Fitzgibbon, Pollet, Appleton, Sells, Stanford, Upthegrove, Cody, Jinkins, Bergquist and Ormsby.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Prohibits the sale of animals on public property or private property that is open to the public.
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Hearing Date: 1/31/13

Staff: Omeara Harrington (786-7136).

Background:

State law regulates the treatment of animals in a variety of contexts. Animal cruelty statutes prohibit harming or killing animals in most situations, and transporting or confining animals in an unsafe manner. State law also requires dog breeding operations to limit the number of adult, intact dogs they have at one time, and to meet requirements regarding space, sanitation, and safety.

Certain categories of animal sales are regulated at the federal and state levels. There are federal and state laws regarding the sale of livestock, and the sale of animals for use in research. The retail or private sale of domesticated animals is generally not regulated at either the federal or state level; however, some local governments impose regulations on the sale of animals intended for use as pets. Examples of local regulations include imposing licensing requirements on retail pet stores and prohibiting the sale of animals in public places.

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 of Bill:

It is unlawful to sell an animal on public property or private property that is open to the public. Public property includes state or county owned property such as parks, playgrounds, recreation areas, streets and other public right-of-ways. Private property open to the public includes commercial parking lots and sidewalks, empty lots, flea markets and swap meets.

The prohibition against selling animals in public places or private places open to the public does not apply to sales occurring in the context of:

- commercial businesses legally permitted to sell animals like pet stores and kennels;
- governmental animal control agencies and nonprofit humane societies;
- animal charities registered with the secretary of state;
- various licensed livestock markets and permitted livestock events;
- fairs; and
- legally permitted animal competitions involving paid entrants.

A first time violation is a class 2 civil infraction carrying a fine of up to \$125, plus statutory assessments. A second or subsequent violation is a misdemeanor punishable by a fine of up to \$1,000, a jail term of up to 90 days, or both.

Appropriation: None.

Fiscal Note: Available.

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