
SENATE BILL 5513

State of Washington

54th Legislature

1995 Regular Session

By Senators Rasmussen, McAuliffe, Bauer, Morton, Snyder, Fairley, Swecker, Drew, Wood, Haugen and Roach

Read first time 01/25/95. Referred to Committee on Agriculture & Agricultural Trade & Development.

1 AN ACT Relating to lost and unclaimed horses; amending RCW
2 16.54.010, 16.54.020, and 16.54.030; adding a new section to chapter
3 16.24 RCW; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 16.54.010 and 1977 ex.s. c 67 s 1 are each amended to
6 read as follows:

7 (1) An animal is deemed to be abandoned under the provisions of
8 this chapter when it is placed in the custody of a veterinarian,
9 boarding kennel owner, or any person for treatment, board, or care and:

10 ~~((1))~~ (a) Having been placed in such custody for an unspecified
11 period of time the animal is not removed within fifteen days after
12 notice to remove the animal has been given to the person who placed the
13 animal in such custody or having been so notified the person depositing
14 the animal refuses or fails to pay agreed upon or reasonable charges
15 for the treatment, board, or care of such animal, or;

16 ~~((2))~~ (b) Having been placed in such custody for a specified
17 period of time the animal is not removed at the end of such specified
18 period or the person depositing the animal refuses to pay agreed upon
19 or reasonable charges for the treatment, board, or care of such animal.

1 (2) In addition to subsection (1) of this section, a horse is
2 deemed abandoned if it is a stray or it is lost and the person or
3 persons who found the horse are in the process of complying with RCW
4 16.54.030.

5 **Sec. 2.** RCW 16.54.020 and 1955 c 190 s 2 are each amended to read
6 as follows:

7 Any person having in his or her care, custody, or control any
8 abandoned animal as defined in RCW 16.54.010, may deliver such animal
9 to any humane society having facilities for the care of such animals or
10 to any pound maintained by or under contract or agreement with any city
11 or county within which such animal was abandoned or, in the case of
12 horses under RCW 16.54.010(2), may keep the horse and is deemed its
13 lawful owner if the person or persons have complied with RCW
14 16.54.030(2). If no such humane society or pound exists within the
15 county the person with whom the animal was abandoned may notify the
16 sheriff of the county wherein the abandonment occurred.

17 **Sec. 3.** RCW 16.54.030 and 1955 c 190 s 3 are each amended to read
18 as follows:

19 (1) It shall be the duty of the sheriff of such county upon being
20 so notified, to dispose of such animal as provided by law in reference
21 to estrays if such law is applicable to the animal abandoned, or if not
22 so applicable then such animal shall be sold by the sheriff at public
23 auction. Notice of any such sale shall be given by posting a notice in
24 three public places in the county at least ten days prior to such
25 public sale. Proceeds of such sale shall be paid to the county
26 treasurer for deposit in the county general fund.

27 (2)(a) A person who is in possession of a horse that is abandoned,
28 and whose intent is to be deemed the lawful owner of the abandoned
29 horse if no lawful owner comes forward, must comply with the following:

30 (i) The person must provide written notice to the department of
31 agriculture that a horse has been found whose owner is unknown, the
32 name of the person who found the horse, the present location of the
33 horse, and any marks, brands, or identifying characteristics on the
34 horse.

35 (ii) If the department does not notify the possessor concerning the
36 lawful owner's identity, either place the horse with the department or
37 keep the horse and place a description of the horse, including the

1 identifying marks of the horse, in a newspaper of general circulation
2 in the county where the horse was found once a week for three
3 consecutive weeks.

4 (b) The department shall, upon receiving notice under (a)(i) of
5 this subsection, examine its brand registry for a possible match with
6 the description of the lost horse. If the identity of the owner is
7 discovered, the department shall attempt to locate the owner and inform
8 him or her of the location of the horse. If the owner is located, the
9 possessor must turn the horse over to the owner or the department
10 within five days of notice from the department.

11 (c) If after one year from the date of first publication under (a)
12 of this subsection, an owner is not located by the department or by the
13 possessor nor a claim of ownership made in response to the publication,
14 the person in possession of the horse is deemed the lawful owner of the
15 horse.

16 NEW SECTION. Sec. 4. A new section is added to chapter 16.24 RCW
17 to read as follows:

18 A horse that is lost or a stray and is in the possession of a
19 person who is in the process of complying with chapter 16.54 RCW shall
20 not be declared a public nuisance under this chapter and is not subject
21 to impoundment.

22 NEW SECTION. Sec. 5. This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and shall take
25 effect immediately.

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