

2 **SSB 5942** - S AMD 057

3 By Senators McAuliffe, Costa, Hargrove, Kline, Zarelli and Long

4 ADOPTED 03/12/01

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** This act may be known and cited as Layla's
8 Law.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.91 RCW
10 to read as follows:

11 (1)(a) Any person who has received notice that his or her behavior
12 is interfering with the use of a dog guide or service animal who
13 continues with reckless disregard to interfere with the use of a dog
14 guide or service animal by obstructing, intimidating, or otherwise
15 jeopardizing the safety of the dog guide or service animal user or his
16 or her dog guide or service animal is guilty of a misdemeanor
17 punishable according to chapter 9A.20 RCW, except that for a second or
18 subsequent offense it is a gross misdemeanor.

19 (b) Any person who, with reckless disregard, allows his or her dog
20 to interfere with the use of a dog guide or service animal by
21 obstructing, intimidating, or otherwise jeopardizing the safety of the
22 dog guide or service animal user or his or her dog guide or service
23 animal is guilty of a misdemeanor punishable according to chapter 9A.20
24 RCW, except that for a second or subsequent offense it is a gross
25 misdemeanor.

26 (2)(a) Any person who, with reckless disregard, injures, disables,
27 or causes the death of a dog guide or service animal is guilty of a
28 gross misdemeanor punishable according to chapter 9A.20 RCW.

29 (b) Any person who, with reckless disregard, allows his or her dog
30 to injure, disable, or cause the death of a dog guide or service animal
31 is guilty of a gross misdemeanor punishable according to chapter 9A.20
32 RCW.

33 (3) Any person who intentionally injures, disables, or causes the
34 death of a dog guide or service animal is guilty of a class C felony.

1 (4) Any person who wrongfully obtains or exerts unauthorized
2 control over a dog guide or service animal with the intent to deprive
3 the dog guide or service animal user of his or her dog guide or service
4 animal is guilty of theft in the first degree, RCW 9A.56.030.

5 (5)(a) In any case in which the defendant is convicted of a
6 violation of this section, he or she shall also be ordered to make full
7 restitution for all damages, including incidental and consequential
8 expenses incurred by the dog guide or service animal user and the dog
9 guide or service animal which arise out of or are related to the
10 criminal offense.

11 (b) Restitution for a conviction under this section shall include,
12 but is not limited to:

13 (i) The value of the replacement of an incapacitated or deceased
14 dog guide or service animal, the training of a replacement dog guide or
15 service animal, or retraining of the affected dog guide or service
16 animal and all related veterinary and care expenses; and

17 (ii) Medical expenses of the dog guide or service animal user,
18 training of the dog guide or service animal user, and compensation for
19 wages or earned income lost by the dog guide or service animal user.

20 (6) Nothing in this section shall affect any civil remedies
21 available for violation of this section.

22 (7) For purposes of this section, the following definitions apply:

23 (a) "Dog guide" means a dog that is trained for the purpose of
24 guiding blind persons or a dog trained for the purpose of assisting
25 hearing impaired persons.

26 (b) "Service animal" means an animal that is trained for the
27 purposes of assisting or accommodating a disabled person's sensory,
28 mental, or physical disability.

29 (c) "Notice" means a verbal or otherwise communicated warning
30 prescribing the behavior of another person and a request that the
31 person stop their behavior.

32 (d) "Value" means the value to the dog guide or service animal user
33 and does not refer to cost or fair market value."

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4 On page 1, line 1 of the title, after "animals;" strike the
5 remainder of the title and insert "adding a new section to chapter 9.91
6 RCW; creating a new section; and prescribing penalties."

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