
SENATE BILL 6132

State of Washington

60th Legislature

2007 Regular Session

By Senator Rasmussen

Read first time 02/27/2007. Referred to Committee on Agriculture & Rural Economic Development.

1 AN ACT Relating to regulating the keeping of exotic animals; adding
2 a new chapter to Title 16 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** Notwithstanding the provisions of Title 77
5 RCW relating to wildlife, and section 2 through 9 of this act relating
6 to exotic animals, a city or county may prohibit by ordinance the
7 keeping of wildlife, as defined in RCW 77.08.010, and may prohibit by
8 ordinance the keeping of exotic animals as defined in section 2 of this
9 act.

10 NEW SECTION. **Sec. 2.** As used in sections 1 through 9 of this act,
11 "exotic animal" means:

12 (1) Any member of the family Felidae not indigenous to Washington,
13 except the species *Felis catus* (domestic cat);

14 (2) Any nonhuman primate;

15 (3) Any wolf (*Canis lupus*);

16 (4) Any nonwolf member of the family Canidae not indigenous to
17 Washington, except the species *Canis familiaris* (domestic dog); and

18 (5) Any bear, except the black bear (*Ursus americanus*).

1 NEW SECTION. **Sec. 3.** It is the policy of this state that the
2 keeping of exotic animals be regulated so as to ensure the health,
3 welfare, and safety of those animals and to ensure the security of
4 facilities in which they are kept, so as to avoid undue physical or
5 financial risk to the public. It is the policy of this state that
6 regulation place no more burden upon the keepers of exotic animals than
7 is required to accomplish the purposes expressed in this section.

8 NEW SECTION. **Sec. 4.** A person who sells an exotic animal must,
9 prior to accepting the offer to purchase, provide the prospective
10 purchaser of the animal with informational material approved by the
11 department of agriculture regarding the care, husbandry, health, and
12 nutritional needs of the animal.

13 NEW SECTION. **Sec. 5.** The requirements for a permit in sections 6
14 and 9 of this act shall not apply to:

15 (1) A wildlife rehabilitation center operated under a valid permit
16 issued by the department of fish and wildlife under Title 77 RCW; or

17 (2) A facility operated under a valid license or registration
18 issued by the United States department of agriculture pursuant to the
19 federal animal welfare act of 1970 (7 U.S.C. Sec. 2133 or 2136).

20 NEW SECTION. **Sec. 6.** No person may keep an exotic animal in this
21 state unless, before acquiring the animal, the person possesses a valid
22 department of agriculture permit for that animal issued pursuant to
23 section 9 of this act. No person may keep an exotic animal in this
24 state for more than thirty days after the expiration, revocation, or
25 suspension of a permit.

26 NEW SECTION. **Sec. 7.** Any person who keeps an exotic animal shall
27 keep the animal under conditions of confinement or control that, given
28 the nature of the animal, would be imposed by a reasonable and prudent
29 keeper to avoid physical or financial risk to the public as a result of
30 escape of the animal or otherwise.

31 NEW SECTION. **Sec. 8.** (1) A keeper of an exotic animal is strictly
32 liable for:

1 (a) Costs incurred by any person or city, county, or state agency
2 in attempting to remedy the animal's escape from custody;

3 (b) Personal injury, property damage, or similar loss directly or
4 indirectly caused by the animal's escape from custody, the lack of
5 custody over the animal, or efforts to remedy the animal's escape from
6 custody; and

7 (c) Personal injury directly caused by the animal while in custody.

8 (2) Notwithstanding subsection (1) of this section, if an injury or
9 escape by an exotic animal is in whole or in part the result of a
10 willful unlawful act by a person other than the keeper, the keeper's
11 liability for damages resulting from the escape or injury is the amount
12 of total damages multiplied by the percentage of fault attributable to
13 the keeper's negligence.

14 NEW SECTION. **Sec. 9.** (1) The department of agriculture shall
15 issue permits for the keeping of exotic animals, as defined in section
16 2 of this act.

17 (2) The department shall adopt reasonable rules for issuing permits
18 to keep exotic animals and establishing conditions thereof. The
19 conditions shall be directed toward ensuring the health, welfare, and
20 safety of the animals, and, where necessary, the security of facilities
21 in which the animals are kept so as to avoid undue physical or
22 financial risk to the public. The rules shall be no more restrictive
23 upon keepers of exotic animals than is reasonably necessary to carry
24 out subsection (1) of this section and the purposes of section 3 of
25 this act.

26 (3) A separate permit shall be required for each species of exotic
27 animal kept. A permit shall be valid for a period of two years from
28 the date of issue and may be renewed.

29 (4) The department may charge a fee for the issuance and renewal of
30 permits under this section. The fee shall not exceed three hundred
31 dollars for each issuance and one hundred dollars for each renewal.

32 (5) The department may revoke a permit upon finding a violation of
33 rules adopted under this section, or the department may issue a finding
34 of violation and a warning to remedy the violation by a specified date.

1 NEW SECTION. **Sec. 10.** Sections 1 through 9 of this act constitute
2 a new chapter in Title 16 RCW.

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