

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1676

65th Legislature
2017 Regular Session

Passed by the House February 28, 2017
Yeas 89 Nays 9

Speaker of the House of Representatives

Passed by the Senate April 11, 2017
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1676** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1676

Passed Legislature - 2017 Regular Session

State of Washington

65th Legislature

2017 Regular Session

By Representatives Sullivan, Hansen, Goodman, Rodne, Shea, Ortiz-Self, and Tarleton

Read first time 01/26/17. Referred to Committee on Judiciary.

1 AN ACT Relating to crimes involving a dog guide or service
2 animal; amending RCW 9.91.170; and prescribing penalties.

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

4 **Sec. 1.** RCW 9.91.170 and 2003 c 53 s 52 are each amended to read
5 as follows:

6 (1)(a) Any person who has received notice that his or her
7 behavior is interfering with the use of a dog guide or service animal
8 who continues with reckless disregard to interfere with the use of a
9 dog guide or service animal by obstructing, intimidating, or
10 otherwise jeopardizing the safety of the dog guide or service animal
11 user or his or her dog guide or service animal is guilty of a
12 misdemeanor, except as provided in (b) of this subsection.

13 (b) A second or subsequent violation of this subsection is a
14 gross misdemeanor.

15 (2)(a) Any person who, with reckless disregard, allows his or her
16 dog to interfere with the use of a dog guide or service animal by
17 obstructing, intimidating, or otherwise jeopardizing the safety of
18 the dog guide or service animal user or his or her dog guide or
19 service animal is guilty of a misdemeanor, except as provided in (b)
20 of this subsection.

1 (b) A second or subsequent violation of this subsection is a
2 gross misdemeanor.

3 (3) Any person who, with reckless disregard, injures, disables,
4 or causes the death of a dog guide or service animal is guilty of a
5 gross misdemeanor.

6 (4) Any person who, with reckless disregard, allows his or her
7 dog to injure, disable, or cause the death of a dog guide or service
8 animal is guilty of a gross misdemeanor.

9 (5) Any person who intentionally injures, disables, or causes the
10 death of a dog guide or service animal is guilty of a class C felony
11 punishable according to chapter 9A.20 RCW.

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

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

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

24 (i) The value of the replacement of an incapacitated or deceased
25 dog guide or service animal, the training of a replacement dog guide
26 or service animal, or retraining of the affected dog guide or service
27 animal and all related veterinary and care expenses; and

28 (ii) Medical expenses of the dog guide or service animal user,
29 training of the dog guide or service animal user, and compensation
30 for wages or earned income lost by the dog guide or service animal
31 user.

32 (8) Nothing in this section shall affect any civil remedies
33 available for violation of this section.

34 (9) For purposes of this section, the following definitions
35 apply:

36 (a) "Dog guide" means a dog that is trained or in training for
37 the purpose of guiding blind persons or a dog trained or in training
38 for the purpose of assisting hearing impaired persons.

1 (b) "Service animal" means an animal that is trained or in
2 training for the purposes of assisting or accommodating a disabled
3 person's sensory, mental, or physical disability.

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

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

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