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**SENATE BILL 5768**

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**State of Washington**                      **66th Legislature**                      **2019 Regular Session**

**By** Senators Rivers, Palumbo, Conway, Cleveland, and Pedersen

Read first time 01/31/19. Referred to Committee on Labor & Commerce.

1            AN ACT Relating to protecting consumers from unfair or deceptive  
2 business practices when acquiring a dog or cat through a lease or  
3 other contract; adding a new section to chapter 63.10 RCW; and  
4 creating a new section.

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

6            NEW SECTION.    **Sec. 1.**    (1) The legislature finds that certain  
7 retail pet stores in Washington and internet-based pet retailers are  
8 enticing consumers interested in buying pets, such as puppies and  
9 kittens, to enter into lease agreements for those animals. These  
10 lease agreements are predatory lending schemes directed toward  
11 consumers who wish to acquire a pet, but are least able to afford to  
12 purchase one.

13            (2) Pet leasing fees are often exorbitant, potentially costing a  
14 consumer hundreds or thousands of dollars more than the original  
15 sales price of the animal.

16            (3) Consumers are often unaware of the fact that they do not  
17 legally own the animal under typical pet lease agreements until the  
18 lease terms and conditions have been satisfied. If a consumer fails  
19 to make lease payments as required, and comply with other provisions  
20 of the lease, the consumer is in default, subjecting the pet to

1 repossession, which undermines the consumer's commitment to the  
2 animal's lifetime of care and jeopardizes the animal's welfare.

3 (4) It is the intent of the legislature to protect the interest  
4 of consumers by declaring certain lease and contract provisions for  
5 acquiring a dog or cat to be unfair or deceptive business practices  
6 and prohibiting those practices.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 63.10  
8 RCW to read as follows:

9 (1) A contract offered or entered into on or after the effective  
10 date of this section to transfer ownership of a dog or cat in which  
11 ownership is contingent upon the making of payments over a period of  
12 time subsequent to the transfer of possession of the dog or cat, or  
13 that provides for or offers the option of transferring ownership of  
14 the dog or cat at the end of a lease term, is void and unenforceable.

15 (2) A contract entered into on or after the effective date of  
16 this section for the payment to repay a loan for the purchase of a  
17 dog or cat, whereby a security interest is granted in the dog or cat  
18 purchased, is void and unenforceable.

19 (3) In addition to any other remedies provided by law, the  
20 consumer taking possession of a dog or cat transferred under a  
21 contract described in subsections (1) and (2) of this section is  
22 deemed the owner of the dog or cat and is also entitled to the return  
23 of all amounts the consumer paid under the contract.

24 (4) Nothing in this section may be construed to apply to  
25 contracts for payments to repay an unsecured loan for the purchase of  
26 a dog or cat.

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