

SENATE BILL REPORT

SHB 1304

As Reported By Senate Committee On:
Judiciary, March 30, 2005

Title: An act relating to animal cruelty.

Brief Description: Revising provisions relating to animal cruelty.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Kessler, O'Brien, Lantz, Tom, Lovick, Pearson, Hunt, Moeller, Kirby, Kristiansen, Hunter, Condotta, Dunshee, Nixon, Springer, Jarrett, Simpson, Kilmer, Upthegrove, Williams, Linville, Kenney and Dickerson).

Brief History: Passed House: 3/04/05, 96-0.

Committee Activity: Judiciary: 3/30/05 [DP, DNP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Esser, McCaslin, Rasmussen and Thibaudeau.

Minority Report: Do not pass.

Signed by Senator Hargrove.

Staff: Lidia Mori (786-7755)

Background: Major statutory revisions were last made to chapter 16.52 RCW in 1994. The crime of animal cruelty in the first degree was created at that time. It is committed when a person intentionally inflicts substantial pain on, causes physical injury to, or kills an animal by a means causing undue suffering or forces a minor to do any of the same. The crime of animal cruelty in the first degree is a class C felony. Animal cruelty in the second degree is committed when a person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal. Animal cruelty in the second degree is also committed when a person knowingly, recklessly, or with criminal negligence abandons an animal or fails to provide the animal with necessary food, water, shelter, rest, sanitation, ventilation, space, or medical attention and the animal suffers unnecessary or unjustifiable physical pain as a result of the failure. Animal cruelty in the second degree is a misdemeanor. In any prosecution of animal cruelty in the second degree, it is an affirmative defense that the defendant's failure was due to economic distress beyond the defendant's control.

Summary of Bill: A person is guilty of animal cruelty in the first degree when, except as authorized by law, the person, with criminal negligence, starves, dehydrates, or suffocates an animal and, as a result, it suffers substantial and unjustifiable physical pain that extends for a period sufficient to cause considerable suffering or death.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Who Testified: No one.