

SENATE BILL REPORT

SB 5128

As of January 28, 2005

Title: An act relating to the sale or purchase of any dog for fighting purposes.

Brief Description: Using dogs for fighting.

Sponsors: Senators Carrell, Kline, Swecker, Kastama, Deccio, Pflug and Kohl-Welles.

Brief History:

Committee Activity: Judiciary: 1/27/05.

SENATE COMMITTEE ON JUDICIARY

Staff: Lilah Amos (786-7429)

Background: Under current law it is a gross misdemeanor to participate in or promote animal fighting. Persons are prohibited from owning, possessing, keeping, or training any animal intending that it be used in an animal fighting exhibition. They are also prohibited from causing any animal to fight with or injure another for amusement or gain, from permitting these prohibited acts to be conducted on their premises, and from promoting or aiding these illegal acts. Spectators of these acts may also be punished with a misdemeanor offense. Prior to 1994, this law applied only to dogs.

Current law also prohibits general cruelty to animals. Animal cruelty in the first degree, a class C felony, involves injuring or killing animals by a means causing undue suffering. Animal cruelty in the second degree, a misdemeanor, involves knowingly, recklessly, or with criminal negligence causing unnecessary suffering or pain to animals. Failing to provide food and other necessities and abandonment constitute second degree animal cruelty.

Summary of Bill: It is a gross misdemeanor to sell or purchase, provide premises for sale or purchase, or aid or abet in the sale or purchase of a dog with the intention of using the dog in a fighting exhibition. Mere ownership or possession of any animal does not create a presumption that the animal is owned or possessed for any purposes prohibited under the animal fighting statute.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill criminalizing the sale or purchase of dogs for fighting is narrowly drawn and has broad support.

Testimony Against: None.

Who Testified: PRO: Senator Mike Carrell, prime sponsor.