

**HB 1775** - S COMM AMD  
By Committee on Judiciary

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) It is unlawful for a person to, with  
4 malice, kill or cause substantial bodily harm to livestock belonging to  
5 another person, without consent of the owner.

6 (2) A violation of this section constitutes a class C felony.

7 (3) This section does not apply to individuals meeting the  
8 definition of slaughterer or packer, as those terms are defined in RCW  
9 16.50.110, who, when conducting activities consistent with those  
10 definitions, do so in furtherance of their responsibilities in the  
11 regular course of employment.

12 (4) For the purposes of this section, "malice" has the same meaning  
13 as provided in RCW 9A.04.110, but applied to acts against livestock.

14 **Sec. 2.** RCW 4.24.320 and 2005 c 419 s 2 are each amended to read  
15 as follows:

16 Any person (~~who suffers damage to~~) whose livestock is damaged as  
17 a result of actions described in RCW 16.52.205 or any owner of  
18 livestock who suffers damage as a result of a willful, unauthorized act  
19 described in RCW 9A.56.080 (~~or~~), 9A.56.083, or section 1 of this act  
20 may bring an action against the person or persons committing the act in  
21 a court of competent jurisdiction for exemplary damages up to three  
22 times the actual damages sustained, plus attorney's fees. As used in  
23 this section, "livestock" means the animals specified in RCW 9A.56.080.

24 NEW SECTION. **Sec. 3.** Section 1 of this act constitutes a new  
25 chapter in Title 16 RCW."

1        On page 1, line 2 of the title, after "person;" strike the  
2 remainder of the title and insert "amending RCW 4.24.320; adding a new  
3 chapter to Title 16 RCW; and prescribing penalties."

EFFECT:        A mental state element of malice is added to the definition of the crime in order to clarify the intent of the drafters that persons killing or substantially harming livestock with malice as defined in RCW 9A.04.110 are guilty of the crime. The crime makes it unlawful to kill or substantially harm any livestock, as that term is defined in RCW 9A.56.080, not just a horse or cattle. The crime is an unranked class C felony. Individuals defined as "slaughterers" or "packers" are only exempt from the penalties in section 1 of this bill if they conduct activities consistent with and in furtherance of their responsibilities in the regular course of employment.

--- END ---