

# HOUSE BILL REPORT

## HB 2547

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**As Reported by House Committee On:**  
Judiciary

**Title:** An act relating to preventing cruelty to canines.

**Brief Description:** Preventing cruelty to canines.

**Sponsors:** Representatives Dunshee, Lantz, Appleton, Moeller, Williams, Eddy, Roberts, Hudgins, Campbell, Nelson, Sullivan, Upthegrove, Chase and Simpson.

**Brief History:**

**Committee Activity:**

Judiciary: 1/18/08, 2/5/08 [DPS].

### Brief Summary of Substitute Bill

- Makes it a misdemeanor for a person to command or direct a dog in his or her control to injure or kill a coyote, fox, or wolf for exhibition or entertainment.

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## HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Lantz, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Ahern, Flannigan, Kirby, Moeller, Pedersen, Ross and Williams.

**Staff:** Trudes Tango (786-7384).

### Background:

Under the game laws, a person is guilty of unlawful use of dogs (a misdemeanor) if the person:

- negligently fails to prevent a dog under his or her control from pursuing or injuring deer, elk, or an endangered animal;
- uses the dog to hunt deer or elk; or
- negligently fails to prevent the dog from pursuing an animal or from destroying the nest of a game bird during the closed season for that species of animal or game bird.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

A dog that is the basis for a violation of unlawful use of dogs may be declared a public nuisance. In addition, it is also unlawful to hunt black bear, cougar, bobcat, or lynx with the aid of a dog unless authorized by a state or federal agency. The game laws do not prohibit the use of dogs to hunt coyote, foxes, or wolves.

Animal fighting is an unranked class C felony under the state's animal cruelty laws. "Animal" is defined as dogs or male chickens. One way a person commits the crime of animal fighting is if the person owns, possesses, keeps, breeds, trains, buys, sells, or advertises or offers for sale any animal with the intent that the animal will be engaged in an exhibition of animal fighting. The animal fighting statute does not prohibit the use of dogs in the management of livestock; the use of dogs in hunting as permitted by law; or the training of animals or the use of equipment in the training of animals.

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**Summary of Substitute Bill:**

A person is guilty of unlawful use of dogs if he or she commands or directs the dog in his or her control to injure or kill a canine for exhibition or entertainment. "Canine" means coyotes, foxes, and wolves.

**Substitute Bill Compared to Original Bill:**

The original bill amended the animal fighting statute under the animal cruelty laws and made it a class C felony for a person to command, direct, or facilitate a canine to injure or kill another canine. Canine was defined to include domestic dogs, coyotes, foxes, and wolves. The original bill did not exempt the use of dogs for livestock management or hunting.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) Setting a pack of dogs on another animal is cruelty to animals. This bill is about the intent of the owner of the dog. The state should not condone dog pack hunting. Dogs that are trained to be highly aggressive may not be able to differentiate between other animals and small children. This is a public safety concern.

(Opposed) The bill should be amending the gaming laws not the animal cruelty laws. The bill should be narrowly drafted to specifically address hunting coyotes with dogs. Dogs perform many duties for ranchers and are essential to the everyday operation of a ranch. Based on federal data, there have been numerous coyote attacks on pets, livestock, and even kids.

Coyotes cause a lot of damage to livestock and dogs are very motivated to serve and protect. This bill would make ranchers felons.

**Persons Testifying:** (In support) Representative Dunshee, prime sponsor; and Erna Lund.

(Opposed) Ed Owens, Hunters Heritage Council, Washingtonians for Wildlife Conservation and Northwest Wildlife Council; Brianna Short; Jack Field, Washington Cattleman's Association; Art Swannack, Washington State Sheep Producers; and John Stuhmiller, Washington Farm Bureau.

**Persons Signed In To Testify But Not Testifying:** None.