
SENATE BILL 5203

State of Washington

63rd Legislature

2013 Regular Session

By Senators Kohl-Welles, Shin, Chase, Nelson, Conway, Delvin, Darneille, Frockt, Kline, and Harper

Read first time 01/23/13. Referred to Committee on Law & Justice.

1 AN ACT Relating to the prevention of animal cruelty; adding a new
2 section to chapter 16.52 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 16.52 RCW
5 to read as follows:

6 (1) Except as authorized in subsection (4) of this section, no
7 person shall sell, offer for sale, barter, or auction an animal upon
8 any public property or upon private property open to the public.

9 (2) For purposes of this section, public property consists of any
10 state or county-owned real property or other interest in real estate,
11 including but not limited to parks, playgrounds, and other public
12 recreation areas, as well as streets, roads, alleys, and other public
13 right-of-ways.

14 (3) For the purposes of this section, private property open to the
15 public includes but is not limited to any commercial or retail parking
16 lot, sidewalk, or empty lot, and any flea market or swap meet.

17 (4) This section does not apply to the sale, offer for sale,
18 barter, or auction of an animal that occurs:

19 (a) On private property not open to the public;

1 (b) At a legally permitted pet shop, kennel, or other commercial
2 business legally permitted to sell animals where the owner or operator
3 of the pet shop, kennel, or other commercial business sells, offers for
4 sale, barter, or auctions the animal;

5 (c) At or through any local government animal care and control
6 agency, nonprofit humane society, and other nonprofit organization
7 dedicated to the humane care and adoption of abused, neglected, or
8 unwanted animals;

9 (d) At or through any other organization dedicated to the humane
10 care and adoption of abused, neglected, or unwanted animals that is
11 registered as a charity with the secretary of state, is working
12 cooperatively with an organization defined in (c) of this subsection,
13 or is approved by the local jurisdiction in which the sale or transfer
14 occurs;

15 (e) At public livestock markets licensed under chapter 16.65 RCW;

16 (f) At farmers' cooperative association or livestock breeders'
17 association events permitted under chapter 16.65 RCW;

18 (g) At events permitted under chapter 16.65 RCW and managed by
19 youth livestock organizations, such as 4-H, future farmers of America,
20 or other junior livestock group;

21 (h) At area fairs, county and district fairs, community fairs, and
22 youth shows and fairs as defined in RCW 15.76.120; and

23 (i) At competitive cat or dog shows, horse shows, bird shows,
24 reptile and amphibian expositions, or other legally permitted animal
25 expositions or shows, provided that the person offering the animal for
26 sale or transfer is a paid entrant to the show and any sale or transfer
27 of the animal occurs on the premises of the show.

28 (5)(a) A person who violates this section for the first time has
29 committed a class 2 civil infraction under RCW 7.80.120(1)(b).

30 (b) A person who violates this section for a second or subsequent
31 time is guilty of a misdemeanor.

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