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HOUSE BILL 1090

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State of Washington                      65th Legislature                      2017 Regular Session

By Representatives Appleton, Stanford, Goodman, Frame, Buys,  
Gregerson, and Peterson

Read first time 01/11/17. Referred to Committee on Judiciary.

1            AN ACT Relating to breed-based dog regulations; adding a new  
2 section to chapter 16.08 RCW; creating a new section; and providing  
3 an effective date.

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

5            NEW SECTION.    **Sec. 1.**    (1) A number of local jurisdictions have  
6 enacted ordinances prohibiting or placing additional restrictions on  
7 specific breeds of dogs. While the legislature recognizes that local  
8 jurisdictions have a valid public safety interest in protecting  
9 citizens from dog attacks, the legislature finds that a dog's breed  
10 is not inherently indicative of whether or not a dog is dangerous and  
11 that the criteria for determining whether or not a dog is dangerous  
12 or potentially dangerous should be focused on the dog's behavior.

13            (2) The legislature further finds that breed-specific ordinances  
14 fail to address the factors that cause dogs to become aggressive and  
15 place an undue hardship on responsible dog owners who provide proper  
16 socialization and training. The legislature intends to encourage  
17 local jurisdictions to more effectively and fairly control dangerous  
18 dogs and enhance public safety by focusing on dogs' behavior rather  
19 than their breeds.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 16.08  
2    RCW to read as follows:

3        (1) A city or county may not prohibit the possession of a dog  
4    based upon its breed, impose requirements specific to possession of a  
5    dog based upon its breed, or declare a dog dangerous or potentially  
6    dangerous based on its breed unless all of the following conditions  
7    are met:

8        (a) The city or county has established and maintains a reasonable  
9    process for exempting any dog from breed-based regulations or a breed  
10    ban if the dog passes the American kennel club canine good citizen  
11    test or a reasonably equivalent canine behavioral test as determined  
12    by the city or county;

13        (b) Dogs that pass the American kennel club canine good citizen  
14    test or a reasonably equivalent canine behavioral test are exempt  
15    from breed-based regulations for a period of at least two years;

16        (c) Dogs that pass the American kennel club canine good citizen  
17    test or a reasonably equivalent canine behavioral test are given the  
18    opportunity to retest to maintain their exemption from breed-based  
19    regulations; and

20        (d) Dogs that fail the American kennel club canine good citizen  
21    test or a reasonably equivalent canine behavioral test are given the  
22    opportunity to retest within a reasonable period of time, as  
23    determined by the city or county.

24        (2) This section does not apply to the act of documenting either  
25    a dog's breed or its physical appearance, or both, solely for  
26    identification purposes when declaring a dog dangerous or potentially  
27    dangerous.

28        (3) For the purpose of this section, "dog" means a domesticated  
29    member of the family canidae, specifically species *Canus lupus*  
30    *familiaris*, and excludes nondomesticated members of the family  
31    canidae and any hybrids thereof, including but not limited to wolves,  
32    coyotes, wolf-dog hybrids, and coyote-dog hybrids.

33        NEW SECTION.    **Sec. 3.**    This act takes effect January 1, 2018.

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