

FINAL BILL REPORT

SHB 1919

C 174 L 19
Synopsis as Enacted

Brief Description: Preventing and responding to animal abuse.

Sponsors: House Committee on Public Safety (originally sponsored by Representatives Mosbrucker, Appleton, Smith, Ybarra, Dye, Ormsby and Stanford).

House Committee on Public Safety
Senate Committee on Law & Justice

Background:

Animal Fighting.

Participation in animal fighting is a criminal offense. The crime of Animal Fighting encompasses various prohibited activities including, but not limited to, knowingly doing any of the following:

- owning, possessing, buying, selling, or training an animal with the intent that the animal will be engaged in a fighting exhibition;
- organizing, promoting, watching, wagering money for, or otherwise participating in an animal fighting exhibition;
- keeping, using, or accepting payment for admission to any place for animal fighting;
or
- taking, leading away, possessing, transferring, or receiving an animal intending to use it for fighting, or for training or baiting for the purpose of fighting.

Animal Fighting is an unranked class C felony.

Animal Cruelty.

A person commits Animal Cruelty in the first degree when the person: (1) intentionally inflicts substantial pain on, causes physical injury to, or kills an animal by a means that causes undue suffering or while manifesting an extreme indifference to life; (2) with criminal negligence, starves, dehydrates, or suffocates an animal, and the animal suffers unnecessary or unjustifiable physical pain or death; or (3) knowingly engages in certain conduct involving a sexual act or sexual contact with an animal. Animal Cruelty in the first degree is a class C felony.

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 person is guilty of Animal Cruelty in the second degree when the person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal. An owner may additionally commit this crime by failing to provide necessary shelter, rest, sanitation, space, or medical attention resulting in unnecessary or unjustifiable pain to the animal, or by abandoning the animal. Animal Cruelty in the second degree is a gross misdemeanor.

Classification of Crimes.

Crimes are classified as misdemeanors, gross misdemeanors, or felonies. The classification of a crime generally determines the maximum term of confinement and the maximum fine a court can impose for an offense. For each classification, the maximum terms of confinement and maximum fines are as follows:

Classification	Maximum Confinement	Maximum Fine
Misdemeanor	90 days	\$1,000
Gross Misdemeanor	364 days	\$5,000
Class C Felony	5 years	\$10,000
Class B Felony	10 years	\$20,000
Class A Felony	Life	\$50,000

If a felony is "unranked," it means that the offense does not have a statutorily designated seriousness level under the Sentencing Reform Act. Unranked felonies carry a maximum period of confinement of one year regardless of the class of felony.

Summary:

Animal Fighting.

The circumstances under which a person may be convicted of Animal Fighting are expanded. A person commits the offense if he or she knowingly steals an animal with the intent of using the animal for animal fighting, or for training or baiting for the purpose of animal fighting. A person also commits Animal Fighting if he or she owns, possesses, buys, sells, transfers, or manufactures animal fighting paraphernalia for the purpose of engaging in, promoting, or facilitating animal fighting, or for baiting a live animal for the purpose of animal fighting.

"Animal fighting paraphernalia" includes equipment, products, implements, or materials of any kind that are used, intended for use, or designed for use in the training, preparation, conditioning, or furtherance of animal fighting. Animal fighting paraphernalia includes, but is not limited to: cat mills; fighting pits; springpoles; unprescribed veterinary medicine; treatment supplies; and gaffs, slashers, heels, and any other sharp implement designed to be attached in place of the natural spur of a cock or game fowl.

The classification for Animal Fighting is elevated from a class C felony to a class B felony when the person mutilates an animal in furtherance of the Animal Fighting offense.

Animal Cruelty.

The crime of Animal Cruelty in the second degree is expanded to include circumstances in which a person has taken control, custody, or possession of an animal that was involved in animal fighting and subsequently abandons the animal, causing the animal bodily harm or putting the animal at risk of bodily harm.

Votes on Final Passage:

House	94	0	
Senate	44	2	(Senate amended)
House	94	0	(House concurred)

Effective: July 28, 2019