

SHB 2090 - S COMM AMD
By Committee on Judiciary

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 9.91 RCW
4 to read as follows:

5 (1)(a)(i) Any person who has received notice that his or her
6 behavior is interfering with the use of a search and rescue dog who
7 continues with reckless disregard to interfere with the use of a search
8 and rescue dog by obstructing, intimidating, or otherwise jeopardizing
9 the safety of the search and rescue dog user or his or her search and
10 rescue dog is guilty of a misdemeanor punishable according to chapter
11 9A.20 RCW, except when (a)(ii) of this subsection applies.

12 (ii) A second or subsequent violation of (a)(i) of this subsection
13 is a gross misdemeanor punishable according to chapter 9A.20 RCW.

14 (b)(i) Any person who, with reckless disregard, allows his or her
15 dog to interfere with the use of a search and rescue dog by
16 obstructing, intimidating, or otherwise jeopardizing the safety of the
17 search and rescue dog user or his or her search and rescue dog is
18 guilty of a misdemeanor punishable according to chapter 9A.20 RCW,
19 except when (b)(ii) of this subsection applies.

20 (ii) A second or subsequent violation of (b)(i) of this subsection
21 is a gross misdemeanor punishable according to chapter 9A.20 RCW.

22 (2)(a) Any person who, with reckless disregard, injures, disables,
23 or causes the death of a search and rescue dog is guilty of a gross
24 misdemeanor punishable according to chapter 9A.20 RCW.

25 (b) Any person who, with reckless disregard, allows his or her dog
26 to injure, disable, or cause the death of a search and rescue dog is
27 guilty of a gross misdemeanor punishable according to chapter 9A.20
28 RCW.

29 (3) Any person who intentionally injures, disables, or causes the
30 death of a search and rescue dog is guilty of a class C felony.

1 (4) Any person who wrongfully obtains or exerts unauthorized
2 control over a search and rescue dog with the intent to deprive the dog
3 user of his or her search and rescue dog is guilty of theft in the
4 first degree under RCW 9A.56.030.

5 (5)(a) In any case in which the defendant is convicted of a
6 violation of this section, he or she shall also be ordered to make full
7 restitution for all damages, including incidental and consequential
8 expenses incurred by the search and rescue dog user and the dog that
9 arise out of, or are related to, the criminal offense.

10 (b) Restitution for a conviction under this section shall include,
11 but is not limited to:

12 (i) The value of the replacement of an incapacitated or deceased
13 dog, the training of a replacement search and rescue dog, or retraining
14 of the affected dog and all related veterinary and care expenses; and

15 (ii) Medical expenses of the search and rescue dog user, training
16 of the dog user, and compensation for any wages or earned income lost
17 by the search and rescue dog user as a result of a violation of
18 subsection (1), (2), (3), or (4) of this section.

19 (6) Nothing in this section affects any civil remedies available
20 for violation of this section.

21 (7) For purposes of this section, "search and rescue dog" means a
22 dog that is trained for the purpose of search and rescue of persons
23 lost or missing."

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24 On page 1, line 1 of the title, after "dogs;" strike the remainder
25 of the title and insert "adding a new section to chapter 9.91 RCW; and
26 prescribing penalties."

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