

SENATE BILL REPORT

ESHB 2043

As of February 25, 2004

Title: An act relating to dangerous or potentially dangerous dogs.

Brief Description: Changing provisions relating to dangerous dogs.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Kirby, Campbell and Carrell).

Brief History:

Committee Activity: Health & Long-Term Care: 2/26/04.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Rhoda Donkin (786-7198)

Background: Dogs that meet certain behavior standards can be declared "potentially dangerous" or "dangerous" by an animal control authority.

A potentially dangerous dog is one that, when unprovoked: 1) bites a human or domestic animal; 2) chases a person in public or approaches a person in public in a menacing fashion; or 3) has a known propensity to attack, cause injury, or threaten the safety of humans or domestic animals. Potentially dangerous dogs are regulated only on the local level.

A dangerous dog is one that: 1) inflicts severe injury on a human without provocation; 2) kills a domestic animal while off the owner's property; or 3) is already declared a potentially dangerous dog due to injury to a human, and again bites, attacks, or endangers the safety of humans. A dog cannot be declared dangerous for inflicting an injury to a person who was committing a tort on the owner's premises, tormenting the dog, or committing a crime.

The owner of a dangerous dog must register the dog and meet several requirements, including a proper enclosure, a surety bond of at least \$250,000 payable to any person injured by the dog, and liability insurance of at least \$250,000. Dangerous dogs cannot be taken outside of the dog's enclosure unless the dog is muzzled and restrained.

Summary of Bill: The breed of a dog cannot be used as a factor to declare a dog potentially dangerous or dangerous.

A dog cannot be declared potentially dangerous if a dog threatens or injures a person who at the time was: 1) committing a tort upon the premises of the dog's owner; 2) tormenting, abusing, or assaulting the dog, or has done so in the past; or 3) committing or attempting to commit a crime.

Owners of dangerous dogs must obtain a surety bond and liability insurance of at least \$100,000.

Wolf-dog hybrids are considered "dogs" for the purposes of the dangerous dog chapter.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.