
Judiciary Committee

HB 1151

Title: An act relating to the keeping of dangerous wild animals.

Brief Description: Regulating the keeping of dangerous wild animals.

Sponsors: Representatives Lovick, Campbell, Lantz, Jarrett, Simpson, Williams, Murray and B. Sullivan.

Brief Summary of Bill

- Prohibits possession of potentially dangerous wild animals such as large cats, wolves, bears, monkeys, primates, certain snakes, and crocodiles.
- Allows currently possessed potentially dangerous wild animals to be kept until July 1, 2010, unless the local animal control authority authorizes an extension.
- Establishes a civil penalty for violations of the act.
- Exempts certain entities from the act, including: zoos; aquariums; wildlife sanctuaries; research, medical, and educational institutions; circuses; and rodeos.

Hearing Date: 1/26/05

Staff: Edie Adams (786-7180).

Background:

Wild animals may be subject to regulation under federal, state, or local laws. For example, federal law generally prohibits the sale, purchase, or possession of endangered species. In addition, under the federal Animal Welfare Act, the United States Department of Agriculture licenses and regulates animal dealers and exhibitors, including those dealing with exotic animals.

In Washington, the Department of Fish and Wildlife has authority to regulate ownership of wildlife. Fish and Wildlife rules currently outlaw ownership of certain "deleterious exotic wildlife" that threaten native animals, such as fallow deer, mongoose, and wild boars. In addition, Fish and Wildlife regulate the ownership of certain wild animals naturally found in the State.

Animal control is generally regulated on the city and county level in Washington, with enforcement by either local animal control authorities or local law enforcement. A number of

local jurisdictions have passed ordinances either banning or regulating certain exotic animals. These include King and Pierce counties, as well as the cities of Spokane, Bellevue, Everett and others. For example, King County bans ownership of venomous snakes, nonhuman primates, bears, non-domesticated felines (cats) and canines (wolves and coyotes), and crocodiles. Persons possessing these animals prior to the act's effective date in 1994 were allowed to receive licenses from the county, provided they met certain requirements.

Summary of Bill:

The possession and breeding of potentially dangerous wild animals is prohibited. "Potentially dangerous wild animal" is defined and includes: large cats, wolves, bears, primates, certain snakes, and crocodiles.

A person who owns a potentially dangerous wild animal prior to the effective date of the act may keep the animal until July 1, 2010. The person may request permission from the local animal control authority to keep the animal after July 1, 2010, and the animal control authority may grant this permission for a time period and under conditions determined by the animal control authority. The animal control authority may not unreasonably deny permission if a person has documentation that the animal was lawfully possessed prior to the effective date of the act.

An animal control authority may confiscate a potentially dangerous wild animal if it is being kept in violation of the act or if it poses a public safety or health risk. The possessor is responsible for the costs of caring for the animal during the confiscation. If the animal is not able to be returned to the possessor, the animal control authority may relocate the animal to a facility such as a zoo or wildlife sanctuary, or it may euthanize the animal, as a last resort, if it is unable to relocate the animal.

A violation of the act is a civil penalty subject to a fine of between \$200 to \$2,000 for each animal and each day of the violation. Local jurisdictions may adopt ordinances that are stricter than the act, but are not required to adopt ordinances to be in compliance with the act.

Certain entities are exempt from the provisions of the act. These entities include: zoos and aquariums; animal protection organizations; veterinary hospitals; wildlife sanctuaries; licensed or accredited research, medical, or educational institutions; circuses and rodeos; and persons temporarily transporting animals through the State.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.