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HOUSE BILL 2202

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State of Washington                      61st Legislature                      2009 Regular Session

By Representative Hunter

Read first time 02/12/09. Referred to Committee on Judiciary.

1            AN ACT Relating to ensuring the minimum proper veterinarian care  
2 standard for young dogs; adding new sections to chapter 16.08 RCW;  
3 creating a new section; prescribing penalties; and providing an  
4 effective date.

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

6            NEW SECTION.    **Sec. 1.**    (1) The department of agriculture shall  
7 adopt and maintain rules identifying the minimum proper veterinarian  
8 care standard for a dog under twelve months of age necessary to  
9 maximize the health of a dog under twelve months of age or minimize the  
10 spread of diseases.

11            (2) Rules adopted under this section must identify:

12            (a) The proper vaccinations that a dog under twelve months of age  
13 should receive;

14            (b) The approved process and schedule for treating a dog under  
15 twelve months of age for worms and other parasites; and

16            (c) A timeline for separating a dog under twelve months of age from  
17 its mother or litter.

1        NEW SECTION.    **Sec. 2.**    (1) Except as otherwise provided in this  
2 chapter, any person either selling a dog under twelve months of age in  
3 the state of Washington or selling a dog under twelve months of age  
4 that is destined for delivery into the state of Washington must first  
5 fully comply with the minimum proper veterinarian care standard for a  
6 dog under twelve months of age developed by the department of  
7 agriculture under section 1 of this act.

8        (2) This section applies to the person conducting the initial sale  
9 of an individual dog under twelve months of age. However, subsequent  
10 sellers of the individual dog under twelve months of age must provide  
11 information as to whom provided the minimum proper veterinarian care.

12        NEW SECTION.    **Sec. 3.**    Section 2 of this act does not apply to:

13        (1) A dog with documentation that readily indicates that the dog is  
14 over twelve months of age at the time of sale;

15        (2) A dog species other than the common domesticated dog (*Canis*  
16 *familiaris*);

17        (3) A dog that is not sold for money or exchanged for a good or  
18 service; or

19        (4) A dog sold in accordance with section 4 of this act.

20        NEW SECTION.    **Sec. 4.**    (1) The initial buyer of an individual dog  
21 under twelve months of age may agree with the seller to waive the  
22 requirements of section 2 of this act. However, to avoid liability  
23 under this chapter, the seller must be able to demonstrate that the  
24 buyer signed a document outlining:

25        (a) The responsibilities of the seller that are being waived;

26        (b) The minimum proper veterinarian care standards that have not  
27 been adequately provided to the dog; and

28        (c) The buyer's responsibilities should the dog be resold.

29        (2) A buyer of a dog waiving the responsibilities of a seller under  
30 this section that wishes to resell the dog must provide documentation  
31 to a prospective subsequent buyer as to which responsibilities were  
32 waived.

33        NEW SECTION.    **Sec. 5.**    A violation of section 2 of this act is a  
34 class 1 civil infraction under chapter 7.80 RCW and may be enforced by:

1 (1) Any general authority Washington peace officer, as defined in  
2 RCW 10.93.020; or

3 (2) Representatives of the department of agriculture, authorized by  
4 the director of the department of agriculture to enforce section 2 of  
5 this act.

6 NEW SECTION. **Sec. 6.** (1) The department of agriculture shall  
7 provide information on their official internet web site relating to the  
8 requirements of section 2 of this act, including a mechanism for the  
9 reporting of sellers suspected of violating section 2 of this act.

10 (2) If the department of agriculture determines that any suspected  
11 violations of section 2 of this act reported to the department may be  
12 legitimate, it shall initiate an investigation of the report or provide  
13 the pertinent information to the appropriate local general authority  
14 law enforcement agency.

15 NEW SECTION. **Sec. 7.** Nothing in this chapter limits prosecution  
16 for the violation of any other criminal statute, enforcement of any  
17 other law, or the liability of the seller in related civil proceedings.

18 NEW SECTION. **Sec. 8.** Initial rulemaking under section 1 of this  
19 act must be completed by January 1, 2010.

20 NEW SECTION. **Sec. 9.** Sections 2 through 7 of this act take effect  
21 January 1, 2010.

22 NEW SECTION. **Sec. 10.** (1) Sections 1 through 8 of this act are  
23 each added to chapter 16.08 RCW and codified with the subchapter  
24 heading of "minimum veterinarian care."

25 (2) The code reviser is directed to add a subchapter heading to  
26 chapter 16.08 RCW entitled "dangerous dogs." RCW 16.08.010 through  
27 16.08.100 must be included in the subchapter entitled "dangerous dogs."

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