

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1243**

Chapter 67, Laws of 2011

62nd Legislature  
2011 Regular Session

CRIMES AGAINST LIVESTOCK

EFFECTIVE DATE: 07/22/11

Passed by the House February 26, 2011  
Yeas 97 Nays 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 5, 2011  
Yeas 49 Nays 0

BRAD OWEN

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**President of the Senate**

Approved April 14, 2011, 10:30 a.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1243** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

April 14, 2011

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1243**

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Passed Legislature - 2011 Regular Session

**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** House Judiciary (originally sponsored by Representatives Kretz, Blake, Haigh, Smith, Johnson, Kelley, Finn, Warnick, Moeller, Harris, Roberts, McCune, Stanford, Haler, Taylor, and Condotta)

READ FIRST TIME 02/15/11.

1       AN ACT Relating to crimes against animals belonging to another  
2 person; amending RCW 4.24.320 and 16.52.011; adding a new section to  
3 chapter 16.52 RCW; and prescribing penalties.

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

5       NEW SECTION.   **Sec. 1.** A new section is added to chapter 16.52 RCW  
6 to read as follows:

7       (1) It is unlawful for a person to, with malice, kill or cause  
8 substantial bodily harm to livestock belonging to another person.

9       (2) A violation of this section constitutes a class C felony.

10       (3) For the purposes of this section, "malice" has the same meaning  
11 as provided in RCW 9A.04.110, but applied to acts against livestock.

12       **Sec. 2.** RCW 4.24.320 and 2005 c 419 s 2 are each amended to read  
13 as follows:

14       Any person (~~who suffers damage to~~) whose livestock is damaged as  
15 a result of actions described in RCW 16.52.205 or any owner of  
16 livestock who suffers damage as a result of a willful, unauthorized act  
17 described in RCW 9A.56.080 (~~(or)~~) 9A.56.083, or section 1 of this act  
18 may bring an action against the person or persons committing the act in

1 a court of competent jurisdiction for exemplary damages up to three  
2 times the actual damages sustained, plus attorney's fees. As used in  
3 this section, "livestock" means the animals specified in RCW 9A.56.080  
4 and 16.52.011.

5 **Sec. 3.** RCW 16.52.011 and 2009 c 287 s 1 are each amended to read  
6 as follows:

7 (1) Principles of liability as defined in chapter 9A.08 RCW apply  
8 to this chapter.

9 (2) The definitions in this section apply throughout this chapter  
10 unless the context clearly requires otherwise.

11 (a) "Abandons" means the knowing or reckless desertion of an animal  
12 by its owner or the causing of the animal to be deserted by its owner,  
13 in any place, without making provisions for the animal's adequate care.

14 (b) "Animal" means any nonhuman mammal, bird, reptile, or  
15 amphibian.

16 (c) "Animal care and control agency" means any city or county  
17 animal control agency or authority authorized to enforce city or county  
18 municipal ordinances regulating the care, control, licensing, or  
19 treatment of animals within the city or county, and any corporation  
20 organized under RCW 16.52.020 that contracts with a city or county to  
21 enforce the city or county ordinances governing animal care and  
22 control.

23 (d) "Animal control officer" means any individual employed,  
24 contracted, or appointed pursuant to RCW 16.52.025 by an animal care  
25 and control agency or humane society to aid in the enforcement of  
26 ordinances or laws regulating the care and control of animals. For  
27 purposes of this chapter, the term "animal control officer" shall be  
28 interpreted to include "humane officer" as defined in (f) of this  
29 subsection and RCW 16.52.025.

30 (e) "Euthanasia" means the humane destruction of an animal  
31 accomplished by a method that involves instantaneous unconsciousness  
32 and immediate death, or by a method that causes painless loss of  
33 consciousness, and death during the loss of consciousness.

34 (f) "Humane officer" means any individual employed, contracted, or  
35 appointed by an animal care and control agency or humane society as  
36 authorized under RCW 16.52.025.

1 (g) "Law enforcement agency" means a general authority Washington  
2 law enforcement agency as defined in RCW 10.93.020.

3 (h) "Necessary food" means the provision at suitable intervals of  
4 wholesome foodstuff suitable for the animal's age and species and  
5 sufficient to provide a reasonable level of nutrition for the animal.

6 (i) "Owner" means a person who has a right, claim, title, legal  
7 share, or right of possession to an animal or a person having lawful  
8 control, custody, or possession of an animal.

9 (j) "Person" means individuals, corporations, partnerships,  
10 associations, or other legal entities, and agents of those entities.

11 (k) "Similar animal" means an animal classified in the same genus.

12 (l) "Substantial bodily harm" means substantial bodily harm as  
13 defined in RCW 9A.04.110.

14 (m) "Livestock" includes, but is not limited to, horses, mules,  
15 cattle, sheep, swine, goats, and bison.

Passed by the House February 26, 2011.  
Passed by the Senate April 5, 2011.  
Approved by the Governor April 14, 2011.  
Filed in Office of Secretary of State April 14, 2011.