
Judiciary Committee

HB 2318

Title: An act relating to adding an additional exception to chapter 16.30 RCW that applies to possessors of potentially dangerous wild animals that are licensed by the United States department of agriculture under the federal animal welfare act.

Brief Description: Adding an additional exception to chapter 16.30 RCW that applies to possessors of potentially dangerous wild animals that are licensed by the United States department of agriculture under the federal animal welfare act.

Sponsors: Representatives Van De Wege and Tharinger.

Brief Summary of Bill

- Creates an exception to the statutory scheme that prohibits possession and breeding of potentially dangerous wild animals for facilities or institutions licensed or registered by the United States Department of Agriculture for the receipt and display of potentially dangerous wild animals.

Hearing Date: 1/13/16

Staff: Omeara Harrington (786-7136).

Background:

Potentially Dangerous Wild Animals

State law prohibits the possession or breeding of potentially dangerous wild animals. Potentially dangerous wild animals include wolves, bears, big cats, hyenas, rhinoceroses, nonhuman primates, various snake species, elephants, and crocodiles and related species.

An animal control authority or law enforcement officer may confiscate a potentially dangerous wild animal if the animal: is being kept in violation of state law; poses a public safety or health risk; or is in poor health, and its condition is attributable to the possessor. A violation of the

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prohibitions regarding potentially dangerous wild animals constitutes a civil penalty, carrying a fine of between \$200 to \$2,000 for each animal and each day of continued violation.

There are various exceptions to the state laws prohibiting possession and breeding of potentially dangerous wild animals. The potentially dangerous wild animal laws do not apply to:

- institutions and persons authorized by the Washington Department of Fish and Wildlife;
- accredited zoos and aquariums;
- animal control authorities and nonprofit animal protection agencies housing an animal at the request of an animal control authority;
- veterinary hospitals and clinics;
- wildlife sanctuaries;
- research facilities;
- circuses;
- persons temporarily transporting animals through the state;
- persons displaying animals at a fair approved by the Washington State Department of Agriculture; or
- game farms.

The Animal Welfare Act

The Animal Welfare Act (AWA) is the federal law that regulates the treatment of animals in research, exhibition, transport, and by dealers. Under the AWA, the United States Department of Agriculture licenses and regulates animal dealers and exhibitors, including those dealing with wild and exotic animals. Licensed exhibitors are subject to inspection, and must provide their animals with adequate care and treatment, maintain accurate records, ensure adequate barriers between the animals and public, and practice proper handling.

Summary of Bill:

The state laws prohibiting possession and breeding of potentially dangerous wild animals do not apply to facilities and institutions licensed or registered by the United States Department of Agriculture under the AWA for the receipt and display of potentially dangerous wild animals.

Appropriation: None.

Fiscal Note: Not requested.

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