

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1424**

Chapter 208, Laws of 2023

68th Legislature  
2023 Regular Session

DOGS AND CATS—RETAIL SALES

EFFECTIVE DATE: July 23, 2023

Passed by the House April 14, 2023  
Yeas 92 Nays 4

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate April 5, 2023  
Yeas 39 Nays 9

DENNY HECK

**President of the Senate**

Approved May 1, 2023 3:05 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1424** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

May 2, 2023

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 1424**

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AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

**State of Washington                      68th Legislature                      2023 Regular Session**

**By** House Consumer Protection & Business (originally sponsored by Representatives Berg, Walen, Simmons, Kloba, Street, Taylor, Alvarado, Bateman, Stonier, Paul, Fosse, Macri, Reed, Berry, Senn, Duerr, Riccelli, Doglio, Callan, Peterson, Fitzgibbon, Stearns, Ortiz-Self, Goodman, Thai, Springer, Gregerson, Ramel, Bergquist, and Pollet)

READ FIRST TIME 02/16/23.

1            AN ACT Relating to consumer protection with respect to the sale  
2 and adoption of dogs and cats; amending RCW 16.52.360, 16.52.015, and  
3 16.52.310; adding a new section to chapter 63.10 RCW; adding a new  
4 section to chapter 63.14 RCW; adding a new section to chapter 31.04  
5 RCW; and prescribing penalties.

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

7            **Sec. 1.** RCW 16.52.360 and 2021 c 76 s 1 are each amended to read  
8 as follows:

9            (1) Except as provided in this section, a retail pet store may  
10 not sell or offer for sale any dog or cat.

11            (2) A retail pet store that sold or offered for sale any dog  
12 prior to July 25, 2021, may sell or offer for sale a dog only if the  
13 retail pet store meets the following requirements:

14            (a) Any dog sold or offered for sale must be sold or offered for  
15 sale only at the address identified on the retail pet store's  
16 business license, as defined in RCW 19.02.020;

17            (b) Any dog sold or offered for sale must be obtained either:

18            (i) Directly from a breeder, including an out-of-state breeder,  
19 who satisfies the requirements of RCW 16.52.310; or

20            (ii) From a United States department of agriculture licensed  
21 broker pursuant to the federal animal welfare act, Title 7 U.S.C.

1 Sec. 2131 et seq. as amended, that obtains dogs from a breeder in  
2 compliance with this section. A licensed broker shall provide all  
3 breeder documentation required by a breeder under this section as  
4 well as any applicable federal and state license numbers for the  
5 breeder or the broker;

6 (c) Any dog sold or offered for sale must possess documentation  
7 obtained from its breeder, either directly or through a United States  
8 department of agriculture licensed broker, demonstrating:

9 (i) The dog was not separated from its mother prior to the age of  
10 eight weeks; and

11 (ii) The breeder's compliance with RCW 16.52.310 on the date the  
12 dog was obtained from the breeder;

13 (d) A retail pet store shall, prior to obtaining a dog from a  
14 breeder or a broker, obtain all inspection reports for the breeder  
15 created by the United States department of agriculture within the  
16 previous three years, if applicable. A retail pet store shall  
17 maintain and, upon request, produce the records for a period of five  
18 years following the sale of a dog obtained from a breeder or broker;

19 (e) Any advertisement, including website postings, offering to  
20 sell a dog must include:

21 (i) A range of prices at which a dog, breed of dog, or dogs  
22 having other distinguishing traits are offered for sale;

23 (ii) The age of the dog; and

24 (iii) Supporting documentation providing the applicable federal  
25 or state license numbers for the breeder of the dog, if applicable;

26 (f) The retail pet store shall post in a location visible from  
27 the entrance of the retail pet store on a kiosk or other form of  
28 bulletin board the purchase price, age, and the following information  
29 on the dog's breeder:

30 (i) Full name;

31 (ii) Kennel name, if applicable;

32 (iii) City and state; and

33 (iv) Any applicable state or federal license numbers; and

34 (g) The retail pet store shall disclose to a prospective consumer  
35 in writing, prior to the sale of a dog, the following information  
36 about the dog:

37 (i) The purchase price of the dog; and

38 (ii) Any applicable federal or state license numbers and an  
39 unredacted list of all violations of any federal or state law the dog

1 breeder or cat breeder received in the previous two years on a  
2 federal or state inspection report.

3 (3) A retail pet store may provide space and appropriate care for  
4 animals, including dogs and cats, owned by an animal care and control  
5 agency or animal rescue group for the purpose of adopting those  
6 animals to the public. Each retail pet store shall display on each  
7 cage or pen containing a dog or cat a label stating the certificate  
8 of source, including the name and address of the animal care and  
9 control agency or animal rescue group.

10 (4) (a) It is a class 1 civil infraction under chapter 7.80 RCW  
11 for any person or corporation who violates this section, subject to  
12 the maximum infraction of \$250. The civil infraction may be served on  
13 the pet store's registered agent.

14 (i) An enforcement officer as defined in RCW 7.80.040 or an  
15 animal control officer under RCW 16.52.015 may investigate and  
16 enforce this section.

17 (ii) Appeals are pursuant to chapter 7.80 RCW.

18 (b) Any retail pet store that violates this section three or more  
19 times over a one-year period is prohibited from selling or offering  
20 to sell any dog or cat.

21 (5) Nothing in this section prohibits any city, town, or county  
22 from enacting or enforcing a local ordinance that places greater  
23 proscriptions on the sale of any animal by a retail pet store than  
24 proscribed by this section or that provides penalties equal to or  
25 greater than the penalties provided in this section.

26 **Sec. 2.** RCW 16.52.015 and 2011 c 172 s 2 are each amended to  
27 read as follows:

28 (1) Law enforcement agencies and animal care and control agencies  
29 may enforce the provisions of this chapter. Animal care and control  
30 agencies may enforce the provisions of this chapter in a county or  
31 city only if the county or city legislative authority has entered  
32 into a contract with the agency to enforce the provisions of this  
33 chapter.

34 (2) Animal control officers enforcing this chapter shall comply  
35 with the same constitutional and statutory restrictions concerning  
36 the execution of police powers imposed on law enforcement officers  
37 who enforce this chapter and other criminal laws of the state of  
38 Washington.

1 (3) Animal control officers have the following enforcement powers  
2 when enforcing this chapter:

3 (a) The power to issue civil penalties based on violations under  
4 section 1 of this act;

5 (b) The power to issue citations based on probable cause to  
6 offenders for civil infractions and misdemeanor and gross misdemeanor  
7 violations of this chapter or RCW 9.08.070 through 9.08.078 or  
8 81.48.070;

9 ((~~b~~)) (c) The power to cause a law enforcement officer to  
10 arrest and take into custody any person the animal control officer  
11 has probable cause to believe has committed or is committing a  
12 violation of this chapter or RCW 9.08.070 or 81.48.070. Animal  
13 control officers may make an oral complaint to a prosecuting attorney  
14 or a law enforcement officer to initiate arrest. The animal control  
15 officer causing the arrest shall file with the arresting agency a  
16 written complaint within ((~~twenty-four~~)) 24 hours of the arrest,  
17 excluding Sundays and legal holidays, stating the alleged act or acts  
18 constituting a violation;

19 ((~~e~~)) (d) The power to carry nonfirearm protective devices for  
20 personal protection;

21 ((~~d~~)) (e) The power to prepare affidavits in support of search  
22 warrants and to execute search warrants when accompanied by law  
23 enforcement officers to investigate violations of this chapter or RCW  
24 9.08.070 or 81.48.070, and to seize evidence of those violations.

25 (4) Upon request of an animal control officer who has probable  
26 cause to believe that a person has violated this chapter or RCW  
27 9.08.070 or 81.48.070, a law enforcement agency officer may arrest  
28 the alleged offender.

29 **Sec. 3.** RCW 16.52.310 and 2009 c 286 s 2 are each amended to  
30 read as follows:

31 (1) A person may not own, possess, control, or otherwise have  
32 charge or custody of more than ((~~fifty~~)) 50 dogs with intact sexual  
33 organs over the age of six months at any time.

34 (2) Any person who owns, possesses, controls, or otherwise has  
35 charge or custody of more than ((~~ten~~)) 10 dogs with intact sexual  
36 organs over the age of six months and keeps the dogs in an enclosure  
37 for the majority of the day must at a minimum:

38 (a) Provide space to allow each dog to turn about freely, to  
39 stand, sit, and lie down. The dog must be able to lie down while

1 fully extended without the dog's head, tail, legs, face, or feet  
2 touching any side of an enclosure and without touching any other dog  
3 in the enclosure when all dogs are lying down simultaneously. The  
4 interior height of the enclosure must be at least six inches higher  
5 than the head of the tallest dog in the enclosure when it is in a  
6 normal standing position. Each enclosure must be at least three times  
7 the length and width of the longest dog in the enclosure, from tip of  
8 nose to base of tail and shoulder blade to shoulder blade.

9 (b) Provide each dog that is over the age of four months with a  
10 minimum of one exercise period during each day for a total of not  
11 less than one hour of exercise during such day. Such exercise must  
12 include either leash walking or giving the dog access to an enclosure  
13 at least four times the size of the minimum allowable enclosure  
14 specified in (a) of this subsection allowing the dog free mobility  
15 for the entire exercise period, but may not include use of a cat  
16 mill, jenny mill, slat mill, or similar device, unless prescribed by  
17 a doctor of veterinary medicine. The exercise requirements in this  
18 subsection do not apply to a dog certified by a doctor of veterinary  
19 medicine as being medically precluded from exercise.

20 (c) Maintain adequate housing facilities and primary enclosures  
21 that meet the following requirements at a minimum:

22 (i) Housing facilities and primary enclosures must be kept in a  
23 sanitary condition. Housing facilities where dogs are kept must be  
24 sufficiently ventilated at all times to minimize odors, drafts,  
25 ammonia levels, and to prevent moisture condensation. Housing  
26 facilities must have a means of fire suppression, such as functioning  
27 fire extinguishers, on the premises and must have sufficient lighting  
28 to allow for observation of the dogs at any time of day or night;

29 (ii) Housing facilities must enable all dogs to remain dry and  
30 clean;

31 (iii) Housing facilities must provide shelter and protection from  
32 extreme temperatures and weather conditions that may be uncomfortable  
33 or hazardous to the dogs;

34 (iv) Housing facilities must provide sufficient shade to shelter  
35 all the dogs housed in the primary enclosure at one time;

36 (v) A primary enclosure must have floors that are constructed in  
37 a manner that protects the dogs' feet and legs from injury;

38 (vi) Primary enclosures must be placed no higher than forty-two  
39 inches above the floor and may not be placed over or stacked on top  
40 of another cage or primary enclosure;

1 (vii) Feces, hair, dirt, debris, and food waste must be removed  
2 from primary enclosures at least daily or more often if necessary to  
3 prevent accumulation and to reduce disease hazards, insects, pests,  
4 and odors; and

5 (viii) All dogs in the same enclosure at the same time must be  
6 compatible, as determined by observation. Animals with a vicious or  
7 aggressive disposition must never be placed in an enclosure with  
8 another animal, except for breeding purposes. Breeding females in  
9 heat may not be in the same enclosure at the same time with sexually  
10 mature males, except for breeding purposes. Breeding females and  
11 their litters may not be in the same enclosure at the same time with  
12 other adult dogs. Puppies under twelve weeks may not be in the same  
13 enclosure at the same time with other adult dogs, other than the dam  
14 or foster dam unless under immediate supervision.

15 (d) Provide dogs with easy and convenient access to adequate  
16 amounts of clean food and water. Food and water receptacles must be  
17 regularly cleaned and sanitized. All enclosures must contain potable  
18 water that is not frozen, is substantially free from debris, and is  
19 readily accessible to all dogs in the enclosure at all times.

20 (e) Provide veterinary care without delay when necessary. A dog  
21 may not be bred if a veterinarian determines that the animal is unfit  
22 for breeding purposes. Only dogs between the ages of twelve months  
23 and eight years of age may be used for breeding. Animals requiring  
24 euthanasia must be euthanized only by a licensed veterinarian.

25 (3) A person who violates subsection (1) or (2) of this section  
26 is guilty of a gross misdemeanor.

27 (4) This section does not apply to the following:

28 (a) A publicly operated animal control facility or animal  
29 shelter;

30 (b) A private, charitable not-for-profit humane society or animal  
31 adoption organization;

32 (c) A veterinary facility;

33 (d) A retail pet store;

34 (e) A research institution;

35 (f) A boarding facility; or

36 (g) A grooming facility.

37 (5) ~~((Subsection (1) of this section does not apply to a  
38 commercial dog breeder licensed, before January 1, 2010, by the  
39 United States department of agriculture pursuant to the federal  
40 animal welfare act (Title 7 U.S.C. Sec. 2131 et seq.).~~

1       ~~(6)~~) For the purposes of this section, the following definitions  
2 apply, unless the context clearly requires otherwise:

3       (a) "Dog" means any member of *Canis lupus familiaris*; and

4       (b) "Retail pet store" means a commercial establishment that  
5 engages in a for-profit business of selling at retail cats, dogs, or  
6 other animals to be kept as household pets and is regulated by the  
7 United States department of agriculture.

8       NEW SECTION.   **Sec. 4.** A new section is added to chapter 63.10  
9 RCW to read as follows:

10       A lessor shall not finance a consumer lease for the purchase of a  
11 dog or cat. A lease contract entered into on or after the effective  
12 date of this section for the purchase of a dog or cat is void and  
13 unenforceable and the lessor shall have no right to collect, receive,  
14 or retain any principal, interest, or charges related to the lease  
15 contract.

16       NEW SECTION.   **Sec. 5.** A new section is added to chapter 63.14  
17 RCW to read as follows:

18       A retail installment transaction entered into on or after the  
19 effective date of this section for the purchase of a dog or cat is  
20 void and unenforceable and the retail seller shall have no right to  
21 collect, receive, or retain any principal, interest, or charges  
22 related to the retail installment transaction.

23       NEW SECTION.   **Sec. 6.** A new section is added to chapter 31.04  
24 RCW to read as follows:

25       A licensee shall not finance or make a loan for the purchase of a  
26 dog or cat. A loan entered into on or after the effective date of  
27 this section for the purchase of a dog or cat is void and  
28 unenforceable and the licensee shall have no right to collect,  
29 receive, or retain any principal, interest, or charges related to the  
30 loan.

Passed by the House April 14, 2023.  
Passed by the Senate April 5, 2023.  
Approved by the Governor May 1, 2023.  
Filed in Office of Secretary of State May 2, 2023.

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