

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1149**

69th Legislature  
2025 Regular Session

Passed by the House April 17, 2025  
Yeas 85 Nays 11

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**Speaker of the House of  
Representatives**

Passed by the Senate April 3, 2025  
Yeas 47 Nays 1

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**President of the Senate**

Approved

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**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 1149** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 1149**

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AS AMENDED BY THE SENATE

Passed Legislature - 2025 Regular Session

**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** House Community Safety (originally sponsored by Representatives Hackney, Low, Ramel, Leavitt, Obras, Timmons, Peterson, Wylie, Pollet, Kloba, Farivar, Berg, Ormsby, Fosse, Hill, and Walen)

READ FIRST TIME 01/17/25.

1       AN ACT Relating to the prevention of cruelty to animals; amending  
2   RCW 16.52.011, 16.52.085, 16.52.100, 16.52.117, 16.52.200, and  
3   16.52.207; reenacting and amending RCW 9.94A.515; and prescribing  
4   penalties.

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

6       **Sec. 1.** RCW 16.52.011 and 2020 c 158 s 2 are each amended to  
7   read as follows:

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

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

12      (a) "Abandons" means the knowing or reckless desertion of an  
13   animal by its owner, or by a person who has taken control, custody,  
14   or possession of an animal that was involved in animal fighting as  
15   described in RCW 16.52.117, or the causing of the animal to be  
16   deserted by its owner, in any place, without making provisions for  
17   the animal's adequate care.

18      (b) "Animal" means any nonhuman mammal, bird, reptile, or  
19   amphibian.

20      (c) "Animal care and control agency" means any city or county  
21   animal control agency or authority authorized to enforce city or

1 county municipal ordinances regulating the care, control, licensing,  
2 or treatment of animals within the city or county, and any  
3 corporation organized under RCW 16.52.020 that contracts with a city  
4 or county to enforce the city or county ordinances governing animal  
5 care and control.

6 (d) "Animal control officer" means any individual employed,  
7 contracted, or appointed pursuant to RCW 16.52.025 by an animal care  
8 and control agency or humane society to aid in the enforcement of  
9 ordinances or laws regulating the care and control of animals. For  
10 purposes of this chapter, the term "animal control officer" shall be  
11 interpreted to include "humane officer" as defined in (h) of this  
12 subsection and RCW 16.52.025.

13 (e) "Dog" means an animal of the species *Canis lupus familiaris*.

14 (f) "Euthanasia" means the humane destruction of an animal  
15 accomplished by a method that involves instantaneous unconsciousness  
16 and immediate death, or by a method that causes painless loss of  
17 consciousness, and death during the loss of consciousness.

18 (g) "Food" means food or feed appropriate to the species for  
19 which it is intended.

20 (h) "Humane officer" means any individual employed, contracted,  
21 or appointed by an animal care and control agency or humane society  
22 as authorized under RCW 16.52.025.

23 (i) "Law enforcement agency" means a general authority Washington  
24 law enforcement agency as defined in RCW 10.93.020.

25 (j) "Livestock" includes, but is not limited to, horses, mules,  
26 cattle, sheep, swine, goats, and bison.

27 (k) "Malice" has the same meaning as provided in RCW 9A.04.110,  
28 but applied to acts against animals.

29 (l) "Necessary food" means the provision (~~at suitable intervals~~  
30 ~~of wholesome foodstuff suitable for the animal's age, species, and~~  
31 ~~condition, and that is sufficient to provide a reasonable level of~~  
32 ~~nutrition for the animal and is easily accessible to the animal or as~~  
33 ~~directed by a veterinarian for medical reasons.~~

34 ~~(m))~~ of species-appropriate food that is easily accessible to  
35 the animal and of sufficient quantity and quality to sustain the  
36 animal in good health and allow for normal growth or maintenance of  
37 healthy body weight, provided at suitable intervals for the species,  
38 age, and condition of the animal, but at least once daily unless  
39 daily feeding is not suitable for the species, and placed so as to

1 minimize contamination by excrement and pests, or as directed by a  
2 veterinarian for medical reasons.

3 (m) "Necessary medical attention" means veterinary care as deemed  
4 necessary by a reasonably prudent person to prevent or relieve in a  
5 timely manner distress from injury, neglect, or physical infirmity.

6 (n) "Necessary sanitation" means that both indoor areas and  
7 outdoor enclosures are kept reasonably clean and free from excess  
8 waste, garbage, noxious odors, or other contaminants, objects, or  
9 other animals that could cause harm to the animal's health and well-  
10 being.

11 (o) "Necessary shelter" means a structure sufficient to protect  
12 ((a—dog)) an animal from wind, rain, snow, cold, heat, or sun that  
13 has bedding to permit ((a—dog)) an animal to remain dry and  
14 reasonably clean and maintain a normal body temperature.

15 (p) "Necessary space" means continuous access to an area with the  
16 following:

17 (i) Adequate space for exercise necessary for the physical health  
18 and well-being of the animal based on the animal's species, age, or  
19 physical condition;

20 (ii) Temperature and ventilation suitable to the health and well-  
21 being of the animal based on the animal's species, age, or physical  
22 condition; and

23 (iii) Regular diurnal lighting cycles of either natural or  
24 artificial light.

25 ((n)) (q) "Necessary water" means ((water that is in sufficient  
26 quantity and of appropriate quality for the species for which it is  
27 intended and that is accessible to the animal)) the provision of open  
28 or adequate access to potable water of a drinkable temperature that  
29 is easily accessible to the animal, in sufficient quantity to satisfy  
30 the animal's needs and placed so as to minimize contamination of the  
31 water by excrement and pests, or as directed by a veterinarian for  
32 medical reasons.

33 ((o)) (r) "Owner" means a person who has a right, claim, title,  
34 legal share, or right of possession to an animal or a person having  
35 ((lawful)) control, custody, or possession of an animal.

36 ((p)) (s) "Person" means individuals, corporations,  
37 partnerships, associations, or other legal entities, and agents of  
38 those entities.

39 ((q)) (t) "Substantial bodily harm" means substantial bodily  
40 harm as defined in RCW 9A.04.110.

1       (~~((+))~~) (u) "Tether" means: (i) To restrain an animal by tying or  
2       securing the animal to any object or structure; and (ii) a device  
3       including, but not limited to, a chain, rope, cable, cord, tie-out,  
4       pulley, or trolley system for restraining an animal.

5       **Sec. 2.** RCW 16.52.085 and 2023 c 246 s 2 are each amended to  
6       read as follows:

7       (1) For the purposes of this section:

8       (a) "Minimum care" means care sufficient to preserve the physical  
9       and mental health and well-being of an animal and includes, but is  
10      not limited to, the following requirements:

11      (i) Food of sufficient nutrition, quantity, and quality to allow  
12      for normal growth or maintenance of healthy body weight;

13      (ii) Open or adequate access to potable water of a drinkable  
14      temperature in sufficient quantity to satisfy the animal's needs;

15      (iii) Shelter sufficient to protect the animal from wind, rain,  
16      snow, sun, or other environmental or weather conditions based on the  
17      animal's species, age, or physical condition;

18      (iv) Veterinary or other care as may be deemed necessary by a  
19      reasonably prudent person to prevent or relieve in a timely manner  
20      distress from injury, neglect, or physical infirmity; and

21      (v) Continuous access to an area:

22      (A) With adequate space for exercise necessary for the physical  
23      and mental health and well-being of the animal. Inadequate space may  
24      be indicated by evidence of debility, stress, or abnormal behavior  
25      patterns;

26      (B) With temperature and ventilation suitable for the health and  
27      well-being of the animal based on the animal's species, age, or  
28      physical condition;

29      (C) With regular diurnal lighting cycles of either natural or  
30      artificial light; and

31      (D) Kept reasonably clean and free from excess waste, garbage,  
32      noxious odors, or other contaminants, objects, or other animals that  
33      could cause harm to the animal's health and well-being.

34      (b) "Physical infirmity" includes, but is not limited to,  
35      starvation, dehydration, hypothermia, hyperthermia, muscle atrophy,  
36      restriction of blood flow to a limb or organ, mange or other skin  
37      disease, or parasitic infestation.

38      (c) "Physical injury" includes, but is not limited to,  
39      substantial physical pain, fractures, cuts, burns, punctures,

bruises, or other wounds or illnesses produced by violence or by a thermal or chemical agent.

(d) "Serious physical injury or infirmity" means physical injury or physical infirmity that creates a substantial risk of death or that causes protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of a limb or bodily organ.

(2)(a) If a law enforcement officer or animal control officer has probable cause to believe that an owner of a domestic animal has violated this chapter or a person owns, cares for, or resides with an animal in violation of RCW 16.52.200 or (~~(an order issued under RCW 16.52.205 or 16.52.207)~~) a pretrial order by a court, the officer, after obtaining a warrant, may enter the premises where the animal is located and seize the animal.

(b) If a law enforcement officer or an animal control officer has probable cause to believe an animal is in imminent danger or is suffering serious physical injury or infirmity, or needs immediate medical attention, the officer may enter onto private property without a warrant to:

(i) Render emergency aid to the animal; or

(ii) Seize the animal without a warrant. Any animal seized without a warrant shall immediately be brought to a veterinarian licensed in the state of Washington to provide medical attention and to assess the health of the animal.

(c) A law enforcement officer or an animal control officer is not liable for any damages for entry onto private property without a warrant under this section, provided that the officer does not use any more force than is reasonably necessary to enter upon the property and remove the animal.

(3)(a) An animal seized under this section may be placed into the custody of an animal care and control agency, into foster care that is not associated in any way with the owner, or with a nonprofit humane society, nonprofit animal sanctuary, or nonprofit rescue organization. In determining what is a suitable placement, the officer shall consider the animal's needs, including its size, medical needs, and behavioral characteristics. Any person or custodial agency receiving an animal seized under this section shall provide the animal with minimum care.

(b) If a seized animal is placed into foster care or with a nonprofit animal sanctuary or rescue organization, the seizing agency

1 shall retain constructive custody of the animal, shall have the duty  
2 to ensure the animal receives minimum care, and may draw from the  
3 bond under subsection (5) of this section and distribute the funds to  
4 the foster home, authorized humane society, sanctuary, or rescue  
5 organization that is authorized to care for the animal.

6 (4) The owner from whom the animal was seized shall be provided  
7 with notice of the right to petition for immediate return of the  
8 animal and shall be afforded an opportunity to petition for such a  
9 civil hearing before the animal is deemed abandoned and forfeited.  
10 Any owner whose animal is seized by a law enforcement officer or  
11 animal control officer under this section shall, within 72 hours  
12 following the seizure, be given written notice of the circumstances  
13 of the removal and notice of legal remedies available to the owner.  
14 The notice shall be given by posting at the place of seizure, by  
15 delivery to the last known or suspected owner in person or a person  
16 residing at the place of seizure, or by registered mail to the last  
17 known or suspected owner. Such notice shall include:

18 (a) The name, business address, and telephone number of the law  
19 enforcement agency or animal care and control agency responsible for  
20 seizing the animal;

21 (b) A description of the seized animal;

22 (c) The authority and purpose for the seizure, including the  
23 time, place, and circumstances under which the animal was seized;

24 (d) A statement that the owner is responsible for the cost of  
25 care for an animal who was lawfully seized, and that the owner will  
26 be required to post a bond with the clerk of the district court of  
27 the county from which the animal was seized to defray the cost of  
28 minimum care pursuant to subsection (5) of this section within 14  
29 calendar days of the seizure or the animal will be deemed abandoned  
30 and forfeited; and

31 (e) A statement that the owner has a right to petition the  
32 district court for a civil hearing for immediate return of the animal  
33 and that in order to receive a hearing, the owner or owner's agent  
34 must request the civil hearing by signing and returning to the court  
35 an enclosed petition within 14 calendar days after the date of  
36 seizure. The enclosed petition must be in substantially the same form  
37 as set forth in subsection (13) of this section.

38 (5)(a) When an animal is seized pursuant to this section, the  
39 owner shall post a bond with the district court in an amount  
40 sufficient to provide minimum care for each animal seized for 30

1 days, including the day on which the animal was taken into custody,  
2 regardless of whether the animal is the subject of a criminal charge.  
3 Such bond shall be filed with the clerk of the district court of the  
4 county from which the animal was seized within 14 calendar days after  
5 the day the animal is seized.

6 (b) (i) If an owner fails to post a bond by 5:00 p.m. on the 14th  
7 calendar day after the day the animal was seized as required under  
8 this section, the animal is deemed abandoned and the owner's interest  
9 in the animal is forfeited to the custodial agency by operation of  
10 law in accordance with the notice provided in subsection (4) of this  
11 section.

12 (ii) A petition required by subsection (4) (e) of this section may  
13 be filed in the district court of the county from which an animal was  
14 seized concerning any animal seized pursuant to this section. Copies  
15 of the petition must be served on the law enforcement agency or  
16 animal care and control agency responsible for seizing the animal and  
17 the prosecuting attorney.

18 (iii) An owner's failure to file a written petition by 5:00 p.m.  
19 on the 14th calendar day after the day the animal was seized shall  
20 constitute a waiver of the right to file a petition under this  
21 subsection and the animal is deemed abandoned and the owner's  
22 interest in the animal is forfeited to the custodial agency by  
23 operation of law unless a bond has been posted pursuant to this  
24 subsection (5). The court may extend the 14-day period to file a  
25 written petition by an additional 14 calendar days if the petitioner  
26 did not have actual notice of the seizure and the court finds, on the  
27 record and in writing, that there are exceptional and compelling  
28 circumstances justifying the extension.

29 (c) (i) Upon receipt of a petition pursuant to (b) of this  
30 subsection, the court shall set a civil hearing on the petition. The  
31 hearing shall be conducted within 30 calendar days after the filing  
32 of the petition.

33 (ii) At the hearing requested by the owner, the rules of civil  
34 procedure shall apply and the respondent shall have the burden of  
35 establishing probable cause to believe that the seized animal was  
36 subjected to a violation of this chapter. The owner shall have an  
37 opportunity to be heard before the court makes its final finding. If  
38 the court finds that probable cause exists, the court shall order the  
39 owner to post a bond as required by this subsection (5) within 72  
40 hours of the hearing, and if the owner fails to do so, the seized



1 animal is deemed abandoned and the owner's interest in the animal is  
2 forfeited to the custodial agency by operation of law. If the  
3 respondent does not meet its burden of proof, the court may order the  
4 animal returned to the owner at no cost to the owner, subject to  
5 conditions set by the court. If the court orders the return of an  
6 animal to the owner, the court may also order:

7 (A) Reasonable attorney fees for the owner; and

8 (B) A full refund of the bond posted pursuant to this subsection  
9 (5) by the owner for the care of the animal.

10 (d)(i) If a bond has been posted in accordance with this  
11 subsection (5), subsequent court proceedings shall be given court  
12 calendar priority so long as the animal remains in the custody of the  
13 custodial agency and the custodial agency may draw from the bond the  
14 actual reasonable costs incurred by the agency in providing minimum  
15 care to the animal from the date of seizure to the date of final  
16 disposition of the animal in the criminal action.

17 (ii) At the end of the time for which expenses are covered by the  
18 bond, if the owner seeks to prevent disposition of the animal by the  
19 custodial agency, the owner shall post a new bond with the court  
20 within 72 hours following the prior bond's expiration. If an owner  
21 fails to post or renew a bond as required under this subsection (5),  
22 the animal is deemed abandoned and the owner's interest in the animal  
23 is forfeited to the custodial agency by operation of law.

24 (e) For the purposes of this subsection (5), "animal" includes  
25 all unborn offspring of the seized animal and all offspring of the  
26 seized animal born after the animal was seized.

27 (6) When an animal is seized from a person prohibited from  
28 owning, caring for, possessing, or residing with animals under RCW  
29 16.52.200 or an order issued pursuant to RCW 16.52.117, 16.52.205, or  
30 16.52.207, the animal is immediately and permanently forfeited by  
31 operation of law to the custodial agency and no court action is  
32 necessary.

33 (7) If an animal is forfeited to a custodial agency according to  
34 the provisions of this section, the agency to which the animal was  
35 forfeited may place the animal with a new owner; provided that the  
36 agency may not place the animal with family members or friends of the  
37 former owner or with anyone who lives in the same household as the  
38 former owner. At the time of placement, the agency must provide the  
39 new owner with notice that it may constitute a crime for the former

owner to own, care for, possess, or reside with the animal at any time in the future.

(8) A custodial agency may authorize a veterinarian or veterinary technician licensed in the state of Washington or a certified euthanasia technician certified in the state of Washington to euthanize a seized animal for humane reasons at any time if the animal is severely injured, sick, diseased, or suffering.

(9) Nothing in this chapter shall be construed to prevent the voluntary, permanent relinquishment of any animal by its owner to a law enforcement officer, animal control officer, or animal care and control agency. Voluntary relinquishment has no effect on the criminal charges that may be pursued by the appropriate authorities.

(10) Nothing in this chapter requires court action for taking custody of, caring for, and properly disposing of stray, feral, at-large, or abandoned animals, or wild animals not owned or kept as pets or livestock, as lawfully performed by law enforcement agencies or animal care and control agencies.

(11) Any authorized person caring for, treating, or attempting to restore an animal to health under this chapter shall not be civilly or criminally liable for such action.

(12) The provisions of this section are in addition to, and not in lieu of, the provisions of RCW 16.52.200.

(13) A petition for a civil hearing for the immediate return of a seized animal shall be in a form substantially similar to the following:

"IN THE ..... COURT  
OF THE STATE OF WASHINGTON IN AND FOR  
THE COUNTY OF .....  
....., No.....  
Petitioner,  
vs. PETITION FOR  
....., RETURN OF SEIZED  
Respondent ANIMALS

PARTIES/JURISDICTION

(a)(i) That Petitioner is, and at all relevant times herein was, a resident of . . . . . (county of residence) County, Washington.

1 (ii) That Respondent is, and at all relevant times herein was, an  
2 agent, contractor, or political subdivision of the City/County  
3 of . . . . . (city or county of seizing agency), State of Washington.

4 (iii) That Petitioner's animal/animals were seized by Respondent  
5 in . . . . . (county where animals were seized) County, Washington.

6 (iv) That this Court has jurisdiction over the subject matter and  
7 the parties hereto.

8 FACTS

9 (b) (i) That upon seizure of . . . . . (number and type of animals)  
10 such animals were placed in the care and custody of the Respondent  
11 on . . . . . (date of seizure).

12 (ii) That on or about . . . . . (date on notice) the Respondent  
13 issued a seizure, bond, and forfeiture notice under RCW 16.52.085, a  
14 true and correct copy of said notice and accompanying attachments is  
15 attached hereto and incorporated herein as Exhibit A (attach a copy  
16 of the notice of seizure to this petition).

17 (iii) That pursuant to such notice, Petitioner herein files this  
18 petition for the immediate return of all such seized animals pursuant  
19 to RCW 16.52.085.

20 PRAYER

21 (c) Petitioner prays that this Court grant said petition and  
22 order the immediate return of Petitioner's aforementioned animals to  
23 Petitioner's care and custody.

24  
25 DATED the . . . day of ....., ....

26  
27 By: .....

28 Petitioner (Signature)

29 **Sec. 3.** RCW 16.52.100 and 1994 c 261 s 10 are each amended to  
30 read as follows:

31 (1) If any domestic animal is impounded or confined without  
32 necessary food and water for more than ((~~thirty-six~~)) 24 consecutive  
33 hours, any person may, from time to time, as is necessary, enter into  
34 and open any pound or place of confinement in which any domestic  
35 animal is confined, and supply it with necessary food and water so  
36 long as it is confined. The person shall not be liable to action for  
37 the entry, and may collect from the animal's owner the reasonable  
38 cost of the food and water. The animal shall be subject to attachment

1 for the costs and shall not be exempt from levy and sale upon  
2 execution issued upon a judgment.

3 (2) An investigating officer may enter into and upon a property,  
4 building, dwelling, or vehicle to provide a confined animal necessary  
5 food and water prior to the animal being without necessary food or  
6 water for 24 consecutive hours if the officer has probable cause to  
7 believe the animal's health or life is in imminent danger. If an  
8 investigating officer finds it extremely difficult to supply confined  
9 animals with food and water, the officer may remove the animals to  
10 protective custody for that purpose.

11 (3) Nothing in this section shall be construed as requiring an  
12 investigating officer to wait for an animal to be confined or  
13 impounded without necessary food or water for 24 consecutive hours  
14 before making a determination that the animal has been abandoned.

15 (4) When determining if an animal has been abandoned under this  
16 chapter, a determination of abandonment by an officer must be based  
17 on probable cause.

18 **Sec. 4.** RCW 16.52.117 and 2019 c 174 s 1 are each amended to  
19 read as follows:

20 (1) A person commits the crime of animal fighting if the person  
21 knowingly does any of the following ~~((or))~~, causes a minor to do any  
22 of the following, or aids or abets any of the following:

23 (a) Owns, possesses, keeps, breeds, trains, buys, sells, or  
24 advertises or offers for sale any animal with the intent that the  
25 animal shall be engaged in an exhibition of fighting with another  
26 animal;

27 (b) Promotes, organizes, conducts, participates in, is a  
28 spectator of, advertises, prepares, or performs any service in the  
29 furtherance of, an exhibition of animal fighting, transports  
30 spectators to an animal fight, or provides or serves as a stakeholder  
31 for any money wagered on an animal fight;

32 (c) Keeps or uses any place for the purpose of animal fighting,  
33 or manages or accepts payment of admission to any place kept or used  
34 for the purpose of animal fighting;

35 (d) Suffers or permits any place over which the person has  
36 possession or control to be occupied, kept, or used for the purpose  
37 of an exhibition of animal fighting;

38 (e) Steals, takes, leads away, possesses, confines, sells,  
39 transfers, or receives an animal with the intent of using the animal

1 for animal fighting, or for training or baiting for the purpose of  
2 animal fighting; or

3 (f) Owns, possesses, buys, sells, transfers, or manufactures  
4 animal fighting paraphernalia for the purpose of engaging in,  
5 promoting, or facilitating animal fighting, or for baiting a live  
6 animal for the purpose of animal fighting.

7 (2)(a) Except as provided in (b) of this subsection, a person who  
8 violates this section is guilty of a class C felony punishable under  
9 RCW 9A.20.021;

10 (b) A person who intentionally mutilates an animal in furtherance  
11 of an animal fighting offense as described in subsection (1) of this  
12 section is guilty of a class ((B)) C felony punishable under RCW  
13 9A.20.021.

14 (3) Nothing in this section prohibits the following:

15 (a) The use of dogs in the management of livestock, as defined by  
16 chapter 16.57 RCW, by the owner of the livestock or the owner's  
17 employees or agents or other persons in lawful custody of the  
18 livestock;

19 (b) The use of dogs in hunting as permitted by law; or

20 (c) The training of animals or the use of equipment in the  
21 training of animals for any purpose not prohibited by law.

22 (4) For the purposes of this section, "animal fighting  
23 paraphernalia" includes equipment, products, implements, or materials  
24 of any kind that are used, intended for use, or designed for use in  
25 the training, preparation, conditioning, or furtherance of animal  
26 fighting, and includes, but is not limited to: Cat mills; fighting  
27 pits; springpoles; unprescribed veterinary medicine; treatment  
28 supplies; and gaffs, slashers, heels, and any other sharp implement  
29 designed to be attached in place of the natural spur of a cock or  
30 game fowl.

31 **Sec. 5.** RCW 16.52.200 and 2020 c 158 s 5 are each amended to  
32 read as follows:

33 (1) The sentence imposed for a misdemeanor or gross misdemeanor  
34 violation of this chapter may be deferred or suspended in accordance  
35 with RCW 3.66.067 and 3.66.068, however the probationary period shall  
36 be two years.

37 (2) In case of multiple misdemeanor or gross misdemeanor  
38 convictions, the sentences shall be consecutive, however the  
39 probationary period shall remain two years.

1 (3) In addition to the penalties imposed by the court, the court  
2 shall order the forfeiture of all animals held by law enforcement or  
3 animal care and control authorities under the provisions of this  
4 chapter if any one of the animals involved dies as a result of a  
5 violation of this chapter or if the defendant has a prior conviction  
6 under this chapter. In other cases the court may enter an order  
7 requiring the owner to forfeit the animal if the court deems the  
8 animal's treatment to have been severe and likely to reoccur.

9 (4) Any person convicted of animal cruelty or animal fighting  
10 shall be prohibited from owning, caring for, possessing, or residing  
11 with any animals for a period of time as follows:

12 (a) Two years for a first conviction of animal cruelty in the  
13 second degree under RCW 16.52.207;

14 (b) Permanently for a first conviction of animal cruelty in the  
15 first degree under RCW 16.52.205 or for a first conviction of animal  
16 fighting under RCW 16.52.117;

17 (c) Permanently for a second or subsequent conviction of animal  
18 cruelty, except as provided in subsection (5) of this section.

19 (5) If a person has no more than two convictions of animal  
20 cruelty and each conviction is for animal cruelty in the second  
21 degree, the person may petition the sentencing court in which the  
22 most recent animal cruelty conviction occurred, for a restoration of  
23 the right to own, care for, possess, or reside with animals five  
24 years after the date of the second conviction. In determining whether  
25 to grant the petition, the court shall consider, but not be limited  
26 to, the following:

27 (a) The person's prior animal cruelty in the second degree  
28 convictions;

29 (b) The type of harm or violence inflicted upon the animals;

30 (c) Whether the person has completed the conditions imposed by  
31 the court as a result of the underlying convictions;

32 (d) Whether the person complied with the prohibition on owning,  
33 caring for, possessing, or residing with animals; and

34 (e) Any other matters the court finds reasonable and material to  
35 consider in determining whether the person is likely to abuse another  
36 animal.

37 The court may delay its decision on forfeiture under subsection  
38 (3) of this section until the end of the probationary period.

39 (6) In addition to fines and court costs, the defendant, only if  
40 convicted or in agreement, shall be liable for reasonable costs

1 incurred pursuant to this chapter by law enforcement agencies, animal  
2 care and control agencies, or authorized private or public entities  
3 involved with the care of the animals. Reasonable costs include  
4 expenses of the investigation, and the animal's care, euthanization,  
5 or adoption.

6 (7) If convicted, the defendant shall also pay a civil penalty of  
7 (~~one thousand dollars~~) \$1,000 to the county to prevent cruelty to  
8 animals. These funds shall be used to prosecute offenses under this  
9 chapter and to care for forfeited animals pending trial.

10 (8) If a person violates the prohibition on owning, caring for,  
11 possessing, or residing with animals under subsection (4) of this  
12 section, that person:

13 (a) (~~Shall pay a civil penalty of one thousand dollars~~) Is  
14 guilty of a misdemeanor for the first violation;

15 (b) (~~Shall pay a civil penalty of two thousand five hundred~~  
16 ~~dollars~~) Is guilty of a gross misdemeanor for the second violation;  
17 and

18 (c) Is guilty of a (~~gross misdemeanor~~) class C felony for the  
19 third and each subsequent violation.

20 (9) As a condition of the sentence imposed under this chapter or  
21 RCW 9.08.070 through 9.08.078, the court may also order the defendant  
22 to participate in an available animal cruelty prevention or education  
23 program or obtain available psychological counseling to treat mental  
24 health problems contributing to the violation's commission. The  
25 defendant shall bear the costs of the program or treatment.

26 (10) Nothing in this section limits the authority of a law  
27 enforcement officer, animal control officer, custodial agency, or  
28 court to remove, adopt, euthanize, or require forfeiture of an animal  
29 under RCW 16.52.085.

30 **Sec. 6.** RCW 16.52.207 and 2020 c 158 s 7 are each amended to  
31 read as follows:

32 (1) A person is guilty of animal cruelty in the second degree if,  
33 under circumstances not amounting to first degree animal cruelty:

34 (a) The person knowingly, recklessly, or with criminal negligence  
35 inflicts unnecessary suffering or pain upon an animal; (~~or~~)

36 (b) The person takes control, custody, or possession of an animal  
37 that was involved in animal fighting as described in RCW 16.52.117  
38 and knowingly, recklessly, or with criminal negligence abandons the  
39 animal; or





1 Malicious placement of an imitation  
 2 device 1 (RCW 70.74.272(1)(a))  
 3 Promoting Commercial Sexual Abuse  
 4 of a Minor (RCW 9.68A.101)  
 5 Rape 1 (RCW 9A.44.040)  
 6 Rape of a Child 1 (RCW 9A.44.073)  
 7 Trafficking 2 (RCW 9A.40.100(3))  
 8 XI Manslaughter 1 (RCW 9A.32.060)  
 9 Rape 2 (RCW 9A.44.050)  
 10 Rape of a Child 2 (RCW 9A.44.076)  
 11 Vehicular Homicide, by being under the  
 12 influence of intoxicating liquor or  
 13 any drug (RCW 46.61.520)  
 14 Vehicular Homicide, by the operation of  
 15 any vehicle in a reckless manner  
 16 (RCW 46.61.520)  
 17 X Child Molestation 1 (RCW 9A.44.083)  
 18 Criminal Mistreatment 1 (RCW  
 19 9A.42.020)  
 20 Indecent Liberties (with forcible  
 21 compulsion) (RCW  
 22 9A.44.100(1)(a))  
 23 Kidnapping 1 (RCW 9A.40.020)  
 24 Leading Organized Crime (RCW  
 25 9A.82.060(1)(a))  
 26 Malicious explosion 3 (RCW  
 27 70.74.280(3))  
 28 Sexually Violent Predator Escape (RCW  
 29 9A.76.115)  
 30 IX Abandonment of Dependent Person 1  
 31 (RCW 9A.42.060)  
 32 Assault of a Child 2 (RCW 9A.36.130)  
 33 Explosive devices prohibited (RCW  
 34 70.74.180)

1 Hit and Run—Death (RCW  
 2 46.52.020(4)(a))  
 3 Homicide by Watercraft, by being under  
 4 the influence of intoxicating liquor  
 5 or any drug (RCW 79A.60.050)  
 6 Inciting Criminal Profiteering (RCW  
 7 9A.82.060(1)(b))  
 8 Malicious placement of an explosive 2  
 9 (RCW 70.74.270(2))  
 10 Robbery 1 (RCW 9A.56.200)  
 11 Sexual Exploitation (RCW 9.68A.040)  
 12 VIII Arson 1 (RCW 9A.48.020)  
 13 Commercial Sexual Abuse of a Minor  
 14 (RCW 9.68A.100)  
 15 Homicide by Watercraft, by the  
 16 operation of any vessel in a reckless  
 17 manner (RCW 79A.60.050)  
 18 Manslaughter 2 (RCW 9A.32.070)  
 19 Promoting Prostitution 1 (RCW  
 20 9A.88.070)  
 21 Theft of Ammonia (RCW 69.55.010)  
 22 VII Air bag diagnostic systems (causing  
 23 bodily injury or death) (RCW  
 24 46.37.660(2)(b))  
 25 Air bag replacement requirements  
 26 (causing bodily injury or death)  
 27 (RCW 46.37.660(1)(b))  
 28 Burglary 1 (RCW 9A.52.020)  
 29 Child Molestation 2 (RCW 9A.44.086)  
 30 Civil Disorder Training (RCW  
 31 9A.48.120)  
 32 Custodial Sexual Misconduct 1 (RCW  
 33 9A.44.160)

1 Dealing in depictions of minor engaged  
2 in sexually explicit conduct 1  
3 (RCW 9.68A.050(1))  
4 Drive-by Shooting (RCW 9A.36.045)  
5 False Reporting 1 (RCW  
6 9A.84.040(2)(a))  
7 Homicide by Watercraft, by disregard  
8 for the safety of others (RCW  
9 79A.60.050)  
10 Indecent Liberties (without forcible  
11 compulsion) (RCW 9A.44.100(1)  
12 (b) and (c))  
13 Introducing Contraband 1 (RCW  
14 9A.76.140)  
15 Malicious placement of an explosive 3  
16 (RCW 70.74.270(3))  
17 Manufacture or import counterfeit,  
18 nonfunctional, damaged, or  
19 previously deployed air bag  
20 (causing bodily injury or death)  
21 (RCW 46.37.650(1)(b))  
22 Negligently Causing Death By Use of a  
23 Signal Preemption Device (RCW  
24 46.37.675)  
25 Sell, install, or reinstall counterfeit,  
26 nonfunctional, damaged, or  
27 previously deployed airbag (RCW  
28 46.37.650(2)(b))  
29 Sending, bringing into state depictions  
30 of minor engaged in sexually  
31 explicit conduct 1 (RCW  
32 9.68A.060(1))  
33 Unlawful Possession of a Firearm in the  
34 first degree (RCW 9.41.040(1))  
35 Use of a Machine Gun or Bump-fire  
36 Stock in Commission of a Felony  
37 (RCW 9.41.225)

Vehicular Homicide, by disregard for  
 the safety of others (RCW  
 46.61.520)  
 VI Bail Jumping with Murder 1 (RCW  
 9A.76.170(3)(a))  
 Bribery (RCW 9A.68.010)  
 Incest 1 (RCW 9A.64.020(1))  
 Intimidating a Judge (RCW 9A.72.160)  
 Intimidating a Juror/Witness (RCW  
 9A.72.110, 9A.72.130)  
 Malicious placement of an imitation  
 device 2 (RCW 70.74.272(1)(b))  
 Possession of Depictions of a Minor  
 Engaged in Sexually Explicit  
 Conduct 1 (RCW 9.68A.070(1))  
 Rape of a Child 3 (RCW 9A.44.079)  
 Theft of a Firearm (RCW 9A.56.300)  
 Theft from a Vulnerable Adult 1 (RCW  
 9A.56.400(1))  
 Unlawful Storage of Ammonia (RCW  
 69.55.020)  
 V Abandonment of Dependent Person 2  
 (RCW 9A.42.070)  
 Advancing money or property for  
 extortionate extension of credit  
 (RCW 9A.82.030)  
 Air bag diagnostic systems (RCW  
 46.37.660(2)(c))  
 Air bag replacement requirements  
 (RCW 46.37.660(1)(c))  
 Bail Jumping with class A Felony  
 (RCW 9A.76.170(3)(b))  
 Child Molestation 3 (RCW 9A.44.089)  
 Criminal Mistreatment 2 (RCW  
 9A.42.030)

1 Custodial Sexual Misconduct 2 (RCW  
2 9A.44.170)  
3 Dealing in Depictions of Minor  
4 Engaged in Sexually Explicit  
5 Conduct 2 (RCW 9.68A.050(2))  
6 Domestic Violence Court Order  
7 Violation (RCW 7.105.450,  
8 10.99.040, 10.99.050, 26.09.300,  
9 26.26B.050, or 26.52.070)  
10 Extortion 1 (RCW 9A.56.120)  
11 Extortionate Extension of Credit (RCW  
12 9A.82.020)  
13 Extortionate Means to Collect  
14 Extensions of Credit (RCW  
15 9A.82.040)  
16 Incest 2 (RCW 9A.64.020(2))  
17 Kidnapping 2 (RCW 9A.40.030)  
18 Manufacture or import counterfeit,  
19 nonfunctional, damaged, or  
20 previously deployed air bag (RCW  
21 46.37.650(1)(c))  
22 Perjury 1 (RCW 9A.72.020)  
23 Persistent prison misbehavior (RCW  
24 9.94.070)  
25 Possession of a Stolen Firearm (RCW  
26 9A.56.310)  
27 Rape 3 (RCW 9A.44.060)  
28 Rendering Criminal Assistance 1 (RCW  
29 9A.76.070)  
30 Sell, install, or reinstall counterfeit,  
31 nonfunctional, damaged, or  
32 previously deployed airbag (RCW  
33 46.37.650(2)(c))

1 Sending, Bringing into State Depictions  
2 of Minor Engaged in Sexually  
3 Explicit Conduct 2 (RCW  
4 9.68A.060(2))  
5 Sexual Misconduct with a Minor 1  
6 (RCW 9A.44.093)  
7 Sexually Violating Human Remains  
8 (RCW 9A.44.105)  
9 Stalking (RCW 9A.46.110)  
10 Taking Motor Vehicle Without  
11 Permission 1 (RCW 9A.56.070)  
12 IV Animal Fighting (with intentional  
13 mutilation) (RCW 16.52.117(2)(b))  
14 Arson 2 (RCW 9A.48.030)  
15 Assault 2 (RCW 9A.36.021)  
16 Assault 3 (of a Peace Officer with a  
17 Projectile Stun Gun) (RCW  
18 9A.36.031(1)(h))  
19 Assault 4 (third domestic violence  
20 offense) (RCW 9A.36.041(3))  
21 Assault by Watercraft (RCW  
22 79A.60.060)  
23 Bribing a Witness/Bribe Received by  
24 Witness (RCW 9A.72.090,  
25 9A.72.100)  
26 Cheating 1 (RCW 9.46.1961)  
27 Commercial Bribery (RCW 9A.68.060)  
28 Counterfeiting (RCW 9.16.035(4))  
29 Driving While Under the Influence  
30 (RCW 46.61.502(6))  
31 Endangerment with a Controlled  
32 Substance (RCW 9A.42.100)  
33 Escape 1 (RCW 9A.76.110)  
34 Hate Crime (RCW 9A.36.080)

1 Hit and Run—Injury (RCW  
2 46.52.020(4)(b))  
3 Hit and Run with Vessel—Injury  
4 Accident (RCW 79A.60.200(3))  
5 Identity Theft 1 (RCW 9.35.020(2))  
6 Indecent Exposure to Person Under Age  
7 14 (subsequent sex offense) (RCW  
8 9A.88.010)  
9 Influencing Outcome of Sporting Event  
10 (RCW 9A.82.070)  
11 Physical Control of a Vehicle While  
12 Under the Influence (RCW  
13 46.61.504(6))  
14 Possession of Depictions of a Minor  
15 Engaged in Sexually Explicit  
16 Conduct 2 (RCW 9.68A.070(2))  
17 Residential Burglary (RCW 9A.52.025)  
18 Robbery 2 (RCW 9A.56.210)  
19 Theft of Livestock 1 (RCW 9A.56.080)  
20 Threats to Bomb (RCW 9.61.160)  
21 Trafficking in Catalytic Converters 1  
22 (RCW 9A.82.190)  
23 Trafficking in Stolen Property 1 (RCW  
24 9A.82.050)  
25 Unlawful factoring of a credit card or  
26 payment card transaction (RCW  
27 9A.56.290(4)(b))  
28 Unlawful transaction of health coverage  
29 as a health care service contractor  
30 (RCW 48.44.016(3))  
31 Unlawful transaction of health coverage  
32 as a health maintenance  
33 organization (RCW 48.46.033(3))  
34 Unlawful transaction of insurance  
35 business (RCW 48.15.023(3))

Unlicensed practice as an insurance  
professional (RCW 48.17.063(2))

Use of Proceeds of Criminal  
Profiteering (RCW 9A.82.080 (1)  
and (2))

Vehicle Prowling 2 (third or subsequent  
offense) (RCW 9A.52.100(3))

Vehicular Assault, by being under the  
influence of intoxicating liquor or  
any drug, or by the operation or  
driving of a vehicle in a reckless  
manner (RCW 46.61.522)

Viewing of Depictions of a Minor  
Engaged in Sexually Explicit  
Conduct 1 (RCW 9.68A.075(1))

III Animal Cruelty 1 (RCW 16.52.205)

Animal Fighting (without intentional  
mutilation) (RCW 16.52.117(2)(a))

Assault 3 (Except Assault 3 of a Peace  
Officer With a Projectile Stun Gun)  
(RCW 9A.36.031 except subsection  
(1)(h))

Assault of a Child 3 (RCW 9A.36.140)

Bail Jumping with class B or C Felony  
(RCW 9A.76.170(3)(c))

Burglary 2 (RCW 9A.52.030)

Communication with a Minor for  
Immoral Purposes (RCW  
9.68A.090)

Criminal Gang Intimidation (RCW  
9A.46.120)

Custodial Assault (RCW 9A.36.100)

Cyber Harassment (RCW  
9A.90.120(2)(b))

Escape 2 (RCW 9A.76.120)

Extortion 2 (RCW 9A.56.130)



1 False Reporting 2 (RCW  
2 9A.84.040(2)(b))  
3 Harassment (RCW 9A.46.020)  
4 Hazing (RCW 28B.10.901(2)(b))  
5 Intimidating a Public Servant (RCW  
6 9A.76.180)  
7 Introducing Contraband 2 (RCW  
8 9A.76.150)  
9 Malicious Injury to Railroad Property  
10 (RCW 81.60.070)  
11 Manufacture of Untraceable Firearm  
12 with Intent to Sell (RCW 9.41.190)  
13 Manufacture or Assembly of an  
14 Undetectable Firearm or  
15 Untraceable Firearm (RCW  
16 9.41.325)  
17 Mortgage Fraud (RCW 19.144.080)  
18 Negligently Causing Substantial Bodily  
19 Harm By Use of a Signal  
20 Preemption Device (RCW  
21 46.37.674)  
22 Organized Retail Theft 1 (RCW  
23 9A.56.350(2))  
24 Perjury 2 (RCW 9A.72.030)  
25 Possession of Incendiary Device (RCW  
26 9.40.120)  
27 Possession of Machine Gun, Bump-Fire  
28 Stock, Undetectable Firearm, or  
29 Short-Barreled Shotgun or Rifle  
30 (RCW 9.41.190)  
31 Promoting Prostitution 2 (RCW  
32 9A.88.080)  
33 Retail Theft with Special Circumstances  
34 1 (RCW 9A.56.360(2))  
35 Securities Act violation (RCW  
36 21.20.400)

1 Tampering with a Witness (RCW  
2 9A.72.120)  
3 Telephone Harassment (subsequent  
4 conviction or threat of death)  
5 (RCW 9.61.230(2))  
6 Theft of Livestock 2 (RCW 9A.56.083)  
7 Theft with the Intent to Resell 1 (RCW  
8 9A.56.340(2))  
9 Trafficking in Catalytic Converters 2  
10 (RCW 9A.82.200)  
11 Trafficking in Stolen Property 2 (RCW  
12 9A.82.055)  
13 Unlawful Hunting of Big Game 1  
14 (RCW 77.15.410(3)(b))  
15 Unlawful Imprisonment (RCW  
16 9A.40.040)  
17 Unlawful Misbranding of Fish or  
18 Shellfish 1 (RCW 77.140.060(3))  
19 Unlawful possession of firearm in the  
20 second degree (RCW 9.41.040(2))  
21 Unlawful Taking of Endangered Fish or  
22 Wildlife 1 (RCW 77.15.120(3)(b))  
23 Unlawful Trafficking in Fish, Shellfish,  
24 or Wildlife 1 (RCW  
25 77.15.260(3)(b))  
26 Unlawful Use of a Nondesignated  
27 Vessel (RCW 77.15.530(4))  
28 Vehicular Assault, by the operation or  
29 driving of a vehicle with disregard  
30 for the safety of others (RCW  
31 46.61.522)  
32 II Commercial Fishing Without a License  
33 1 (RCW 77.15.500(3)(b))  
34 Computer Trespass 1 (RCW 9A.90.040)  
35 Counterfeiting (RCW 9.16.035(3))

1 Electronic Data Service Interference  
2 (RCW 9A.90.060)  
3 Electronic Data Tampering 1 (RCW  
4 9A.90.080)  
5 Electronic Data Theft (RCW  
6 9A.90.100)  
7 Engaging in Fish Dealing Activity  
8 Unlicensed 1 (RCW 77.15.620(3))  
9 Escape from Community Custody  
10 (RCW 72.09.310)  
11 Failure to Register as a Sex Offender  
12 (second or subsequent offense)  
13 (RCW 9A.44.130 prior to June 10,  
14 2010, and RCW 9A.44.132)  
15 Health Care False Claims (RCW  
16 48.80.030)  
17 Identity Theft 2 (RCW 9.35.020(3))  
18 Improperly Obtaining Financial  
19 Information (RCW 9.35.010)  
20 Malicious Mischief 1 (RCW 9A.48.070)  
21 Organized Retail Theft 2 (RCW  
22 9A.56.350(3))  
23 Possession of Stolen Property 1 (RCW  
24 9A.56.150)  
25 Possession of a Stolen Vehicle (RCW  
26 9A.56.068)  
27 Possession, sale, or offering for sale of  
28 seven or more unmarked catalytic  
29 converters (RCW 9A.82.180(5))  
30 Retail Theft with Special Circumstances  
31 2 (RCW 9A.56.360(3))  
32 Scrap Processing, Recycling, or  
33 Supplying Without a License  
34 (second or subsequent offense)  
35 (RCW 19.290.100)  
36 Theft 1 (RCW 9A.56.030)

1 Theft of a Motor Vehicle (RCW  
2 9A.56.065)  
3 Theft of Rental, Leased, Lease-  
4 purchased, or Loaned Property  
5 (valued at \$5,000 or more) (RCW  
6 9A.56.096(5)(a))  
7 Theft with the Intent to Resell 2 (RCW  
8 9A.56.340(3))  
9 Trafficking in Insurance Claims (RCW  
10 48.30A.015)  
11 Unlawful factoring of a credit card or  
12 payment card transaction (RCW  
13 9A.56.290(4)(a))  
14 Unlawful Participation of Non-Indians  
15 in Indian Fishery (RCW  
16 77.15.570(2))  
17 Unlawful Practice of Law (RCW  
18 2.48.180)  
19 Unlawful Purchase or Use of a License  
20 (RCW 77.15.650(3)(b))  
21 Unlawful Trafficking in Fish, Shellfish,  
22 or Wildlife 2 (RCW  
23 77.15.260(3)(a))  
24 Unlicensed Practice of a Profession or  
25 Business (RCW 18.130.190(7))  
26 Voyeurism 1 (RCW 9A.44.115)  
27 I Attempting to Elude a Pursuing Police  
28 Vehicle (RCW 46.61.024)  
29 False Verification for Welfare (RCW  
30 74.08.055)  
31 Forgery (RCW 9A.60.020)  
32 Fraudulent Creation or Revocation of a  
33 Mental Health Advance Directive  
34 (RCW 9A.60.060)  
35 Malicious Mischief 2 (RCW 9A.48.080)  
36 Mineral Trespass (RCW 78.44.330)

1 Possession of Stolen Property 2 (RCW  
2 9A.56.160)  
3 Reckless Burning 1 (RCW 9A.48.040)  
4 Spotlighting Big Game 1 (RCW  
5 77.15.450(3)(b))  
6 Suspension of Department Privileges 1  
7 (RCW 77.15.670(3)(b))  
8 Taking Motor Vehicle Without  
9 Permission 2 (RCW 9A.56.075)  
10 Theft 2 (RCW 9A.56.040)  
11 Theft from a Vulnerable Adult 2 (RCW  
12 9A.56.400(2))  
13 Theft of Rental, Leased, Lease-  
14 purchased, or Loaned Property  
15 (valued at \$750 or more but less  
16 than \$5,000) (RCW  
17 9A.56.096(5)(b))  
18 Transaction of insurance business  
19 beyond the scope of licensure  
20 (RCW 48.17.063)  
21 Unlawful Fish and Shellfish Catch  
22 Accounting (RCW 77.15.630(3)(b))  
23 Unlawful Issuance of Checks or Drafts  
24 (RCW 9A.56.060)  
25 Unlawful Possession of Fictitious  
26 Identification (RCW 9A.56.320)  
27 Unlawful Possession of Instruments of  
28 Financial Fraud (RCW 9A.56.320)  
29 Unlawful Possession of Payment  
30 Instruments (RCW 9A.56.320)  
31 Unlawful Possession of a Personal  
32 Identification Device (RCW  
33 9A.56.320)  
34 Unlawful Production of Payment  
35 Instruments (RCW 9A.56.320)

1 Unlawful Releasing, Planting,  
2 Possessing, or Placing Deleterious  
3 Exotic Wildlife (RCW  
4 77.15.250(2)(b))  
5 Unlawful Trafficking in Food Stamps  
6 (RCW 9.91.142)  
7 Unlawful Use of Food Stamps (RCW  
8 9.91.144)  
9 Unlawful Use of Net to Take Fish 1  
10 (RCW 77.15.580(3)(b))  
11 Vehicle Prowl 1 (RCW 9A.52.095)  
12 Violating Commercial Fishing Area or  
13 Time 1 (RCW 77.15.550(3)(b))

--- **END** ---