
HOUSE BILL 1973

State of Washington 54th Legislature 1995 Regular Session

By Representatives Silver and Brumsickle

Read first time 02/20/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to wolf-dog hybrids; amending RCW 16.08.070,
2 16.08.080, and 16.08.100; adding a new section to chapter 16.08 RCW;
3 creating a new section; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that hybrids between
6 wolves and dogs are responsible for sometimes fatal attacks on humans.
7 The legislature further finds that estimates of the number of wolf-dog
8 hybrids in Washington are not available, but the population is thought
9 to be increasing. The potential for risk to humans and to the
10 integrity of native wolf populations is such that it is in the interest
11 of the state to reduce the numbers of wolf-dog hybrids in Washington.

12 **Sec. 2.** RCW 16.08.070 and 1987 c 94 s 1 are each amended to read
13 as follows:

14 Unless the context clearly requires otherwise, the definitions in
15 this section apply throughout RCW 16.08.070 through 16.08.100.

16 (1) "Potentially dangerous dog" means any dog that when unprovoked:
17 (a) Inflicts bites on a human or a domestic animal either on public or
18 private property, or (b) chases or approaches a person upon the

1 streets, sidewalks, or any public grounds in a menacing fashion or
2 apparent attitude of attack, or any dog with a known propensity,
3 tendency, or disposition to attack unprovoked, to cause injury, or to
4 cause injury or otherwise to threaten the safety of humans or domestic
5 animals.

6 (2) "Dangerous dog" means (a) any wolf-dog hybrid; or (b) any dog,
7 including a wolf-dog hybrid, that according to the records of the
8 appropriate authority, ~~((+a))~~ (i) has inflicted severe injury on a
9 human being without provocation on public or private property, ~~((+b))~~
10 (ii) has killed a domestic animal without provocation while off the
11 owner's property, or ~~((+c))~~ (iii) has been previously found to be
12 potentially dangerous, the owner having received notice of such and the
13 dog again aggressively bites, attacks, or endangers the safety of
14 humans or domestic animals.

15 (3) "Severe injury" means any physical injury that results in
16 broken bones or disfiguring lacerations requiring multiple sutures or
17 cosmetic surgery.

18 (4) "Proper enclosure of a dangerous dog" means, while on the
19 owner's property, a dangerous dog shall be securely confined indoors or
20 in a securely enclosed and locked pen or structure, suitable to prevent
21 the entry of young children and designed to prevent the animal from
22 escaping. Such pen or structure shall have secure sides and a secure
23 top, and shall also provide protection from the elements for the dog.

24 (5) "Animal control authority" means an entity acting alone or in
25 concert with other local governmental units for enforcement of the
26 animal control laws of the city, county, and state and the shelter and
27 welfare of animals.

28 (6) "Animal control officer" means any individual employed,
29 contracted with, or appointed by the animal control authority for the
30 purpose of aiding in the enforcement of this chapter or any other law
31 or ordinance relating to the licensure of animals, control of animals,
32 or seizure and impoundment of animals, and includes any state or local
33 law enforcement officer or other employee whose duties in whole or in
34 part include assignments that involve the seizure and impoundment of
35 any animal.

36 (7) "Owner" means any person, firm, corporation, organization, or
37 department possessing, harboring, keeping, having an interest in, or
38 having control or custody of an animal.

1 (8) "Wolf-dog hybrid" means a hybrid cross between a wolf and a
2 dog, exhibiting primary wolf characteristics, as determined by an
3 animal control officer either independently or in consultation with
4 experts in wolf identification.

5 **Sec. 3.** RCW 16.08.080 and 1989 c 26 s 3 are each amended to read
6 as follows:

7 (1) It is unlawful for an owner to have a dangerous dog in the
8 state without a certificate of registration issued under this section.
9 This section and RCW 16.08.090 and 16.08.100 shall not apply to police
10 dogs as defined in RCW 4.24.410.

11 (2) The animal control authority of the city or county in which an
12 owner has a dangerous dog shall issue a certificate of registration to
13 the owner of such animal if the owner presents to the animal control
14 unit sufficient evidence of:

15 (a) A proper enclosure to confine a dangerous dog and the posting
16 of the premises with a clearly visible warning sign that there is a
17 dangerous dog on the property. In addition, the owner shall
18 conspicuously display a sign with a warning symbol that informs
19 children of the presence of a dangerous dog;

20 (b) A surety bond issued by a surety insurer qualified under
21 chapter 48.28 RCW in a form acceptable to the animal control authority
22 in the sum of at least fifty thousand dollars, payable to any person
23 injured by the vicious dog, however this subsection applies only to
24 owners of dangerous dogs under RCW 16.08.070(2)(b); or

25 (c) A policy of liability insurance, such as homeowner's insurance,
26 issued by an insurer qualified under Title 48 RCW in the amount of at
27 least fifty thousand dollars, insuring the owner for any personal
28 injuries inflicted by the dangerous dog, however this subsection
29 applies only to owners of dangerous dogs under RCW 16.08.070(2)(b).

30 The owner of a dangerous dog classified as a wolf-dog hybrid shall
31 also present a veterinarian's certificate that the hybrid has been
32 neutered or spayed.

33 (3)(a) If an owner has the dangerous dog in an incorporated area
34 that is serviced by both a city and a county animal control authority,
35 the owner shall obtain a certificate of registration from the city
36 authority;

37 (b) If an owner has the dangerous dog in an incorporated or
38 unincorporated area served only by a county animal control authority,

1 the owner shall obtain a certificate of registration from the county
2 authority;

3 (c) If an owner has the dangerous dog in an incorporated or
4 unincorporated area that is not served by an animal control authority,
5 the owner shall obtain a certificate of registration from the office of
6 the local sheriff.

7 (4) Cities and counties may charge an annual fee, in addition to
8 regular dog licensing fees, to register dangerous dogs.

9 **Sec. 4.** RCW 16.08.100 and 1987 c 94 s 4 are each amended to read
10 as follows:

11 (1) Any dangerous dog as defined by RCW 16.08.070(2)(b) shall be
12 immediately confiscated by an animal control authority if the: (a) Dog
13 is not validly registered under RCW 16.08.080; (b) owner does not
14 secure the liability insurance coverage required under RCW 16.08.080;
15 (c) dog is not maintained in the proper enclosure; (d) dog is outside
16 of the dwelling of the owner, or outside of the proper enclosure and
17 not under physical restraint of the responsible person. In addition,
18 the owner shall be guilty of a gross misdemeanor punishable in
19 accordance with RCW 9A.20.021.

20 (2) Any wolf-dog hybrid shall be immediately confiscated by an
21 animal control authority if the dog is (a) not validly registered under
22 RCW 16.08.080; (b) not maintained in the proper enclosure; (c) outside
23 of the dwelling of the owner, or outside of the proper enclosure and
24 not under physical restraint of the responsible person. This subsection
25 shall take effect one year after the effective date of this section.

26 (3) If a dangerous dog of an owner with a prior conviction under
27 this chapter attacks or bites a person or another domestic animal, the
28 dog's owner is guilty of a class C felony, punishable in accordance
29 with RCW 9A.20.021. In addition, the dangerous dog shall be
30 immediately confiscated by an animal control authority, placed in
31 quarantine for the proper length of time, and thereafter destroyed in
32 an expeditious and humane manner.

33 (~~(+3)~~) (4) The owner of any dog that aggressively attacks and
34 causes severe injury or death of any human, whether the dog has
35 previously been declared potentially dangerous or dangerous, shall be
36 guilty of a class C felony punishable in accordance with RCW 9A.20.021.
37 In addition, the dog shall be immediately confiscated by an animal

1 control authority, placed in quarantine for the proper length of time,
2 and thereafter destroyed in an expeditious and humane manner.

3 ~~((4))~~ (5) Any person entering a dog in a dog fight is guilty of
4 a class C felony punishable in accordance with RCW 9A.20.021.

5 NEW SECTION. **Sec. 5.** A new section is added to chapter 16.08 RCW
6 to read as follows:

7 It is unlawful to buy, sell, transfer, release, export, import, or
8 breed any wolf-dog hybrid. Beginning one year after the effective date
9 of this section, any person violating this section shall be guilty of
10 a gross misdemeanor punishable in accordance with RCW 9A.20.021.

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