
SENATE BILL 6234

State of Washington 64th Legislature 2016 Regular Session

By Senators Fain, Rolfes, Sheldon, Pedersen, Hill, Nelson, Becker, Litzow, Keiser, Lias, Conway, McAuliffe, Mullet, and Chase

Read first time 01/13/16. Referred to Committee on Law & Justice.

1 AN ACT Relating to the creation of an animal abuse registry;
2 adding a new chapter to Title 16 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.

7 (1) "Animal abuse offense" means the commission of any act that
8 constitutes the criminal offense of:

- 9 (a) Animal cruelty in the first degree (RCW 16.52.205);
10 (b) Animal cruelty in the second degree (RCW 16.52.207);
11 (c) Animal fighting (RCW 16.52.117); and
12 (d) Poisoning animals (RCW 16.52.190).

13 (2) "Animal abuser" means a person over eighteen years of age or
14 a minor who has been tried as an adult who has been convicted of an
15 animal abuse offense.

16 (3) "Conviction" means a judgment entered by a court upon a plea
17 of guilty, a plea of nolo contendere, or a finding of guilt by a jury
18 or the court, notwithstanding any pending appeal or habeas corpus
19 proceeding arising from the judgment. A conviction includes, but is
20 not limited to, a conviction by a federal court or military tribunal,
21 including a court-martial conducted by the armed forces of the United

1 States, and a conviction in any other state of the United States,
2 other jurisdiction, or other country. A conviction for an offense
3 committed in another jurisdiction, that would be classified as an
4 animal abuse offense if committed in this state, is considered a
5 conviction. Conviction includes a deferred prosecution under chapter
6 10.05 RCW, or an equivalent disposition from another jurisdiction.

7 (4) "Primary residence" means a place where the person abides,
8 lodges, resides, or establishes any other living accommodations in
9 this state for five consecutive days.

10 (5) "Resident" means any person who abides, lodges, resides, or
11 establishes any other living accommodations in this state.

12 (6) "Secondary residence" means: (a) A place where the person
13 abides, lodges, or resides, or establishes any other living
14 accommodations in this state for a period of fourteen or more days in
15 the aggregate during any calendar year, and that is not the person's
16 primary residence; (b) for a person whose primary residence is not in
17 this state, a place where the person is employed, practices a
18 vocation, or is enrolled as a student for a period of fourteen or
19 more days in the aggregate during any calendar year; or (c) a place
20 where the person routinely abides, lodges, or resides for a period of
21 four or more consecutive or nonconsecutive days in any month and that
22 is not the person's primary residence, including any out-of-state
23 address.

24 (7) "Student" means a person who is enrolled on a full-time or
25 part-time basis, in any public or private educational institution,
26 including any secondary school, trade, or professional institution or
27 institution of higher learning.

28 (8) "Within forty-eight hours" means a continuous forty-eight
29 hour period, not including Saturdays, Sundays, or federal or state
30 holidays.

31 NEW SECTION. **Sec. 2.** (1) The attorney general shall maintain a
32 registry of persons convicted of an animal abuse offense and make the
33 registry available for public inquiry on the internet.

34 (2) The registry of persons convicted of an animal abuse offense
35 must consist of the person's name, date of birth, residential
36 address, all animal abuse offense convictions, conviction dates,
37 county and state convictions, and other identifying data as the
38 attorney general determines is necessary for the public to properly
39 identify the person. The attorney general may use the driver's

1 license photograph of the animal abuser maintained by the department
2 of licensing for the registry. If no driver's license photograph is
3 available, the attorney general shall use the photograph taken at the
4 animal abuser's arrest.

5 (3) The clerk of the court in which a person's conviction for an
6 animal abuse offense occurs shall forward, electronically or
7 otherwise, to the attorney general a copy of the judgment document of
8 the conviction, the animal abuser's home address, and other
9 information set out in subsection (2) of this section. The
10 information must be forwarded to the attorney general within forty-
11 five days of the date of judgment.

12 NEW SECTION. **Sec. 3.** (1) Within forty-eight hours of changing a
13 primary or secondary residence, the animal abuser shall notify the
14 attorney general of the change of address.

15 (2) An animal abuser from another state, jurisdiction, or country
16 who has established a primary or secondary residence within this
17 state, or has established a physical presence at a particular
18 location, shall, within forty-eight hours of establishing residency
19 or a physical presence, notify the attorney general of the person's
20 presence in this state.

21 (3) An animal abuser from another state, jurisdiction, or
22 country, who is not a resident of this state, shall, within forty-
23 eight hours of employment, commencing practice of a vocation, or
24 becoming a student in this state, notify the attorney general of the
25 person's presence in this state.

26 (4) An animal abuser who does not maintain either a primary or
27 secondary residence in this state is considered homeless, but remains
28 subject to the registration requirements of this chapter.

29 NEW SECTION. **Sec. 4.** (1) An animal abuser who is subject to
30 registration pursuant to this chapter must be assessed a fee of fifty
31 dollars at the time of conviction.

32 (2) The fee must be retained by the clerk transmitting the
33 information to the attorney general for the sole purpose of defraying
34 the costs of administering this chapter.

35 NEW SECTION. **Sec. 5.** (1) The attorney general shall remove from
36 the registry of persons convicted of an animal abuse offense the name
37 and other identifying information of any person who has not been

1 convicted of an animal abuse offense for a period of ten years from
2 the date of the person's most recent conviction.

3 (2) Upon receipt of notice of the death of a registered animal
4 abuser, as evidenced by a death certificate, the attorney general
5 shall remove all data pertaining to the deceased animal abuser from
6 the registry.

7 NEW SECTION. **Sec. 6.** (1) It is a gross misdemeanor for an
8 animal abuser to knowingly:

9 (a) Falsify information supplied to the attorney general; or

10 (b) Fail to timely disclose required information to the attorney
11 general.

12 (2) A violation of section 3 of this act is a continuing offense.

13 (3) If an animal abuser is required to register pursuant to this
14 chapter, venue lies in any county in which the animal abuser may be
15 found or in any county where the violation occurred.

16 NEW SECTION. **Sec. 7.** The attorney general shall adopt rules
17 necessary to implement and administer the provisions of this chapter.

18 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act
19 constitute a new chapter in Title 16 RCW.

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