

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1424

68th Legislature
2023 Regular Session

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

**Speaker of the House of
Representatives**

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

President of the Senate

Approved

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.

Chief Clerk

FILED

**Secretary of State
State of Washington**

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.

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