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HOUSE BILL 1849

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State of Washington                      61st Legislature                      2009 Regular Session

By Representatives Warnick, Hinkle, and McCune

Read first time 01/30/09. Referred to Committee on Public Safety & Emergency Preparedness.

1            AN ACT Relating to crimes against livestock belonging to another  
2 person; adding a new section to chapter 16.52 RCW; adding a new section  
3 to chapter 4.24 RCW; and prescribing penalties.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 16.52 RCW  
6 to read as follows:

7            (1) It is unlawful for a person to, with malice, kill or cause  
8 substantial bodily harm to livestock owned or bred for commercial or  
9 subsistence purposes belonging to another person, without consent of  
10 the owner.

11            (2) This section does not apply to individuals meeting the  
12 definition of slaughterer or packer, as those terms are defined in RCW  
13 16.50.110, who, when conducting activities consistent with those  
14 definitions, do so in furtherance of their responsibilities in the  
15 regular course of employment.

16            (3) For the purposes of this section:

17            (a) "Livestock" means any domesticated or semidomesticated breed or  
18 population of animal intentionally reared in an agricultural setting  
19 for the purposes of profit or subsistence, whether for food, fiber,

1 dairy, draft, breeding, sport, or other product or labor, and includes  
2 bison, cattle, deer, donkeys, goats, hogs, horses, llamas, mules, pigs,  
3 rabbits, sheep, other fur bearing animals, and other mammals, farmed  
4 birds such as chickens, geese, pigeons, turkeys, and other birds, and  
5 ratites such as emus, ostriches, and rheas, but does not include fish,  
6 shellfish, frogs, and reptiles.

7 (b) "Malice" has the same meaning as provided in RCW 9A.04.110, but  
8 applied to acts against livestock.

9 (4) A violation of this section constitutes a class B felony.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 4.24 RCW  
11 to read as follows:

12 Any owner of livestock, as defined in section 1 of this act, who  
13 suffers damage as a result of an unauthorized act described in section  
14 1 of this act may bring an action against the person or persons  
15 committing the act in a court of competent jurisdiction for exemplary  
16 damages up to three times the actual damages sustained, plus reasonable  
17 attorneys' fees.

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