

# Initiative No. 1872

January 18, 2022

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## BILL REQUEST - CODE REVISER'S OFFICE

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BILL REQ. #: I-4353.1/22

ATTY/TYPIST: KT:jcm

BRIEF DESCRIPTION:

# Initiative No. 1872

January 18, 2022

AN ACT Relating to the humane treatment of dogs and cats; adding a new chapter to Title 16 RCW; and prescribing penalties.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** (1) Experiments, research, or confinement of dogs and cats by laboratories, research operations, or breeding mills that cause pain, hunger, and/or severe and prolonged deprivation of senses to dogs and cats is prohibited. No dog or cat may be used for research, of any kind, more than once in a lifetime or longer than three days. All experiments and research must be approved by the Washington state department of agriculture.

(2) Dogs or cats cannot be used for laboratory experiments in the state of Washington; except for the express purpose of improving the lives and the health of:

- (a) Dogs, if the research is on dogs;
- (b) Cats, if the research is on cats; or

(c) Humans and animals as long as dogs (if the research is on dogs), and cats (if the research is on cats), are included in this broader category.

(3) Dog or cat breeding for the primary purpose of using dogs or cats for laboratory experiments is prohibited, except as provided in this chapter.

NEW SECTION. **Sec. 2.** (1) A dog or cat owner may not knowingly sell or provide a dog or cat to any person or entity for the purpose of laboratory experimentation or running a breeding mill in the state of Washington; except when the conditions stated in section 1 of this act are agreed to by the buyer or taker of the dog and/or cat and acknowledged by signature of the buyer/taker that he or she understands the contents of this chapter and will abide by this chapter.

(2) The form shall be given to the seller/provider and a copy retained by the buyer/taker and kept on file by all parties for at least one year from the date of transaction.

(3) Dog or cat breeding mills, and owners of such mills, may not knowingly sell or provide, in the state of Washington, dogs or cats to anyone or any entity for the purpose of laboratory experiments unless approved by the Washington state department of agriculture.

NEW SECTION. **Sec. 3.** (1) The Washington state department of agriculture shall set up an approval process as it relates to sections 1(1) and 2(3) of this act that will ensure that all experiments, research, confinement of dogs and cats, or transactions are in accordance with the terms of this chapter and that all actors are aware of their responsibilities within this chapter.

(2) The approval process shall take no longer than 21 days.

NEW SECTION. **Sec. 4.** (1) Dog and cat breeding mills, for whatever purpose, must provide a safe, clean, and humane environment for all dogs and cats in their facilities. The Washington state

department of agriculture shall make the determination if breeding mills are, in fact, safe, clean, and humane for the dogs and cats in their care.

(2) When a complaint about the conditions of any breeding mill inside the state of Washington is made to the Washington state department of agriculture, or a complaint about unlawful dog or cat research, or experimentation, under the terms of this chapter is made, that complaint, if deemed credible, must be investigated, acted upon, and adjudicated within 21 days after the receipt of the complaint. A written report shall be mailed to the complainant or complainants within 30 days after the receipt of the complaint, and also filed with the secretary of state within 30 days after the receipt of the complaint. Both the Washington state department of agriculture and the Washington secretary of state shall make that report available online and easy to find on their respective websites within 15 days after the forwarding of the report from the department of agriculture to the secretary of state.

NEW SECTION. **Sec. 5.** (1) (a) Laboratories or research operations found in violation of this chapter shall be fined \$50,000 for each violation by the Washington state department of agriculture.

(b) The department shall also determine if the business or the operation in violation of this chapter shall be shut down, if the violations are deemed egregious.

(2) (a) Breeding mills found in violation of this chapter shall be fined \$10,000 for each violation by the Washington state department of agriculture.

(b) The department shall also determine if the business or the operation in violation of this chapter shall be shut down, if the violations are deemed egregious.

NEW SECTION. **Sec. 6.** Selling or providing dogs or cats to laboratories, research facilities, and breeding mills through a

third party shall not be construed as a violation of this chapter as long as the seller/provider is an unwitting party to an unlawful third-party transaction not conducted by themselves.

NEW SECTION. **Sec. 7.** (1) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(a) "Egregious" means knowingly and particularly cruel and inhumane in a constant and insidious manner.

(b) "Third party" means a middle man or middle men between the buying or taking of a dog or cat and selling or providing to laboratories, research facilities, or breeding mills.

(2) The Washington state department of agriculture shall by rule determine the definition of "breeding mill." The department shall adopt the rule within 30 days of the effective date of this section.

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

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