

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1149 S HB	<b>Title:</b> Cruelty to animals
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## Estimated Cash Receipts

Agency Name	2025-27			2027-29			2029-31		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	0	0	0	0	0	0	0	0	0

## Estimated Operating Expenditures

Agency Name	2025-27				2027-29				2029-31			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	2,500	2,500	2,500	.0	0	0	0	.0	0	0	0
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	.0	8,000	8,000	8,000	.0	0	0	0	.0	0	0	0
Department of Corrections	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
<b>Total \$</b>	0.0	10,500	10,500	10,500	0.0	0	0	0	0.0	0	0	0

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2025-27			2027-29			2029-31		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Danya Clevenger, OFM	<b>Phone:</b> (360) 688-6413	<b>Date Published:</b> Final 1/27/2025
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1149 S HB	<b>Title:</b> Cruelty to animals	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

STATE	FY 2026	FY 2027	2025-27	2027-29	2029-31
State FTE Staff Years					
<b>Account</b>					
General Fund-State 001-1	2,500		2,500		
State Subtotal \$	2,500		2,500		
COUNTY	FY 2026	FY 2027	2025-27	2027-29	2029-31
County FTE Staff Years					
<b>Account</b>					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2026	FY 2027	2025-27	2027-29	2029-31
City FTE Staff Years					
<b>Account</b>					
Local - Cities					
Cities Subtotal \$					

### Estimated Capital Budget Impact:

NONE

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 01/16/2025
Agency Preparation: Kerra Lynch	Phone: 3607044029	Date: 01/21/2025
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/21/2025
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/23/2025

197,678.00

Request # 46-1

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

Section 1 amends RCW 16.52.011 (Definitions – Principles of Liability (under the animal cruelty statutes)) is amended to redefine “necessary food” under subsection (l); adds a new subsection (m) necessary medical attention; subsection (n) necessary sanitation; subsection (p) necessary space definition are all added. Section 3 amends 16.52.100 allowing changing subsection 1 from 36 hours without necessary food or water to 24. New subsection 2 is added allowing an investigative officer who has probable cause to believe that an animal has not had necessary food or water for 24 hours to enter the property if officer has PC to believe that the animal’s health or life is in imminent danger. Section 4 amends animal fighting statute to include anyone who aids or abets. Section 4 amends 16.52.200 to prohibit individuals who are convicted of animal fighting from ever owning an animal a violation is a misdemeanor; while a second violation is a gross misdemeanor and each subsequent violation a class C felony. Section 6 adds to animal cruelty in the second degree “The person willfully instigates, engages in, or in any way furthers any act of animal cruelty to any animal”

### II. B - Cash Receipts Impact

### II. C - Expenditures

This bill would have minimal fiscal impact to the Administrative office of the Courts.

ADMINISTRATIVE OFFICE OF THE COURTS

This bill will require 40 hours of form updates and this is estimated to be \$2,500.00 in FY 2026.

## Part III: Expenditure Detail

### Part III: Expenditure Detail

#### III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years					
Salaries and Wages					
Employee Benefits					
Professional Service Contracts					
Goods and Other Services	2,500		2,500		
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
<b>Total \$</b>	2,500		2,500		

#### III. B - Expenditure By Object or Purpose (County)

NONE

#### III. C - Expenditure By Object or Purpose (City)

NONE

#### III. D - FTE Detail

NONE

#### III. E - Expenditures By Program (optional)

NONE

197,678.00

Form FN (Rev 1/00)

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Request # 46-1

Bill # 1149 S HB

## **Part IV: Capital Budget Impact**

### **IV. A - Capital Budget Expenditures**

NONE

### **IV. B1 - Expenditures by Object Or Purpose (State)**

NONE

### **IV. B2 - Expenditures by Object Or Purpose (County)**

NONE

### **IV. B3 - Expenditures by Object Or Purpose (City)**

NONE

### **IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1149 S HB	<b>Title:</b> Cruelty to animals	<b>Agency:</b> 101-Caseload Forecast Council
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 01/16/2025
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 01/19/2025
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 01/19/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/27/2025

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

See attached.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

See attached.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

**SHB 1149**  
**PREVENTION OF CRUELTY TO ANIMALS**  
**101 – Caseload Forecast Council**  
**January 16, 2025**

**SUMMARY**

**A brief description of what the measure does that has fiscal impact.**

- Section 1 Amends RCW 16.52.011 by expanding the definitions of “necessary food”, “necessary shelter”, and “necessary water”; and adding definitions for “necessary medical attention”, “necessary sanitation”, and “necessary space”.
- Section 2 Amends RCW 16.52.085 by including a reference to RCW 16.52.117.
- Section 4 Amends RCW 16.52.117 by expanding the offense of Animal Fighting, which can be a Class C or Class B felony, to include aiding or abetting and reduces the offense that is currently a Class B to a Class C.
- Section 5 Amends RCW 16.52.200 by amending the prohibitions of a person to own, care for, possess, or reside with any animal.
- Section 5 Additionally amends RCW 16.52.200 by increasing the civil penalty to a misdemeanor for a person who violates the prohibition of owning, caring for, possessing, or residing with animals under subsection (4) for the first time. For second violations, it is increased from a civil penalty to a gross misdemeanor. For third or subsequent violations, it is increased from a gross misdemeanor to a Class C felony.
- Section 6 Amends RCW 16.52.207 by expanding the definition of the gross misdemeanor offense of Animal Cruelty in the Second Degree.
- Section 7 Amends RCW 9.94A.515 by ranking the unranked Class B felony offense of Animal Fighting with Intentional Mutilation at Seriousness Level 4 on the Adult Felony Grid.
- Section 7 Amends RCW 9.94A.515 by ranking the unranked Class C felony offense of Animal Fighting without Intentional Mutilation at Seriousness Level 3 on the Adult Felony Grid.

**EXPENDITURES**

**Assumptions.**

None.

**Impact on the Caseload Forecast Council.**

None.

**Impact Summary**

This bill:

- Expands the definition of a Class C felony offense and a Class B felony offense;

- Establishes a new misdemeanor, gross misdemeanor and increases a gross misdemeanor to a Class C felony in certain circumstances;
- Expands the definition of a Class C and a Class B felony offenses;
- Reduces an existing Class B felony offense to a Class C;
- Expands the definition of a gross misdemeanor; and
- Ranks two unranked felony offenses, the Class B felony offense of Animal Fighting with Intentional Mutilation and the Class C felony offense of Animal Fighting without Intentional Mutilation, at Seriousness Levels 4 and 3, respectively, on the Adult Felony Sentencing Grid.

**Impact on prison beds and jail beds.**

Currently, as unranked felonies, the offenses are not subject to standard sentencing ranges. Courts are required to impose determinate sentences which may include 0-365 days of confinement. This bill ranks two unranked offenses at Seriousness Levels 3 and 4. Ranked at SL 3, the offense would be subject to a sentencing range of between 1-3 months in jail and 51-60 months in prison, depending on the individual’s prior history. Ranked at SL 4, the offense would be subject to a sentencing range of between 3-9 months in jail and 63-84 months in prison, depending on the individual’s prior history. Therefore, this changes in this bill would likely impact both jail beds and prison beds.

While the impacts are indeterminate, as it is unknown how the expansion of definitions may result in new convictions, the following is provided for informational purposes. In Fiscal Year 2024, there was one individual sentenced to a standard range sentence for the unranked offense of Animal Fighting without Intentional Mutilation. As an unranked offense, no offender score is required, however, the Judgment and Sentence form did indicate an offender score of 1 with confinement imposed of one month. For a SL 3 offense, with a score of 1, the standard range would be 3-8 months which would be higher than the one month imposed, resulting in an increased need for a jail bed.

There were no convictions for Animal Fighting with Intentional Mutilation.

Additionally, the third or more violation of the prohibition of owning, caring for, possessing, or residing with animals that was previously a gross misdemeanor offense is being raised to a Class C offense under the provisions of the bill. The CFC does not collect data on gross misdemeanor offenses, and, therefore, cannot estimate bed impacts resulting from the bill. However, as a gross misdemeanor offense, it is punishable by a term of confinement of 0-364 days in jail and as an unranked Class C felony offense it is punishable by a term of confinement of 0-12 months. It is assumed that there would be no impact on jail beds for this provision.

**Impact on local and Juvenile Rehabilitation beds.**

The newly established Class C felony offense would be ranked at Category C on the Juvenile Sentencing Grid. The offense is currently a gross misdemeanor and punishable by a standard range term of Local Sanctions (0-30 days in local juvenile detention) for juveniles adjudicated for the offense. As a Category C offense, the offense would be punishable by a standard range term of between Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks in Juvenile Rehabilitation (depending on the number of prior adjudications). Therefore, incidences

of this offense would likely impact both local juvenile detention and Juvenile Rehabilitation beds.

In addition, the bill establishes a new misdemeanor, a new gross misdemeanor, and expands the definition of an existing gross misdemeanor offense. The CFC does not collect data on gross misdemeanor offenses, and, therefore, cannot estimate bed impacts resulting from the bill. However, as a gross misdemeanor and misdemeanor offenses are punishable by local sanctions (0-30 days of confinement).

**Impact on Department of Corrections (DOC) Supervision population**

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1149 S HB	<b>Title:</b> Cruelty to animals	<b>Agency:</b> 307-Department of Children, Youth, and Families
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

**Estimated Operating Expenditures from:**

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 01/16/2025
Agency Preparation: Katherine Anderson	Phone: (360) 790-9033	Date: 01/24/2025
Agency Approval: Crystal Lester	Phone: 360-628-3960	Date: 01/24/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/27/2025

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Comparison of 1149-SB to 1149-SHB

1149-SHB

Section 4 (2) (b) Amends RCW 16.52.117 by changing the offense of Animal Fighting, from a Class B felony to a Class C felony, to include aiding or abetting.

1149-SB

Expands on penalties involving crimes of animal cruelty.

Section 1(2)(l) amends the definition of "Necessary Food" to of species-appropriate food that is easily accessible to the animal and of sufficient quantity and quality to sustain the animal in good health and allow for normal growth or maintenance of healthy body weight, provided at suitable intervals for the species, age, and condition of the animal, but at least once daily unless daily feeding is not suitable for the species, and placed so as to minimize contamination by excrement and pests, or as directed by a veterinarian for medical reasons.

Section 1(2)(m) Adds "Necessary medical attention" means veterinary care as deemed necessary by a reasonably prudent person to prevent or relieve in a timely manner distress from injury, neglect, or physical infirmity.

Section 1(2)(n) Adds "Necessary sanitation" means that both indoor areas and outdoor enclosures are kept reasonably clean and free from excess waste, garbage, noxious odors, or other contaminants, objects, or other animals that could cause harm to the animal's health and wellbeing.

Section 4(1) Amends RCW 16.52.117 by expanding the offense of Animal Fighting, which can be a Class C or Class B felony, to include aiding or abetting.

Section 5 Amends RCW 16.52.200 by amending the prohibitions of a person to own, care for, possess, or reside with any animal.

Additionally amends RCW 16.52.200 by increasing the civil penalty to a misdemeanor for a person who violates the prohibition of owning, caring for, possessing, or residing with animals under subsection (4) for the first time. For second violations, it is increased from a civil penalty to a gross misdemeanor. For third or subsequent violations, it is increased from a gross misdemeanor to a Class C felony.

Section 6 Amends RCW 16.52.207 by expanding the definition of the gross misdemeanor offense of Animal Cruelty in the Second Degree.

Section 7 (Table 2) (IV) Amends RCW 9.94A.515 by ranking the unranked Class B felony offense of Animal Fighting with Intentional Mutilation at Seriousness Level 4 on the Adult Felony Grid.

### II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

NONE

**II. C - Expenditures**

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Fiscal impact indeterminate.

Expanding on penalties involving crimes of animal cruelty to the bill may potentially result in a increase in Average Daily Population (ADP) and indeterminate costs to DCYF. DCYF does not have data regarding how many individuals will be impacted, therefore, the caseload forecast and per capita adjustments are unknown at this time.

DCYF assumes the impact will result when the ADP caseload changes in the JR residential facilities forecast. The impact would be reflected in the forecasted maintenance level budget step. DCYF will true up our fiscal impact in subsequent budget submittals if the legislation is enacted into law.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Non-zero but indeterminate cost and/or savings. Please see discussion.

**III. B - Expenditures by Object Or Purpose**

Non-zero but indeterminate cost and/or savings. Please see discussion.

**III. C - Operating FTE Detail:** FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1149 S HB	<b>Title:</b> Cruelty to animals	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
<b>Account</b>					
General Fund-State 001-1	8,000	0	8,000	0	0
<b>Total \$</b>	8,000	0	8,000	0	0

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 01/16/2025
Agency Preparation: Leslie OConnor	Phone: 3607910201	Date: 01/23/2025
Agency Approval: Wendi Gunther	Phone: 360-725-8428	Date: 01/23/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/27/2025

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

1149 SHB Differs from the original bill in the following way:

Section 4(2)(b) amends RCW 16.52.117 and 2019 c 174 s 1, by downgrading the offense, of intentionally mutilating an animal, resulting from animal fighting, from a Class B felony to a Class C felony, punishable under RCW 9A.20.021.

The remainder of the summary section remains unchanged from the previous bill version, 1149\_HB.

1149 HB is an act related to the prevention of cruelty to animals, prescribing penalties and amending RCW 16.52.011, 16.52.085, 16.52.100, 16.52.117, 16.52.200, and 216.52.207; and reenacting RCW 9.94A.515.

Section 1(1)(l) amends RCW 16.52.011 and 2020 c 158 s 2, by removing language that defined “Necessary food” and adding language that was previously subsection m, that further defines what is “Necessary food”, to include sustaining normal growth, sanitary conditions and frequency of feeding intervals.

Section 1(1)(m) amends RCW 16.52.011 and 2020 c 158 s 2, by adding subsection m to define “necessary medical attention” as deemed necessary by a reasonable person.

Section 1(1)(n) amends RCW 16.52.011 and 2020 c 158 s 2, by adding subsection n to define “Necessary sanitation” for indoor areas and outdoor enclosures.

Section 1(1)(o) amends RCW 16.52.011 and 2020 c 158 s 2, by amending subsection o, removing the specific term, dog, and adding the word animal, when defining the requirements for “Necessary shelter. This section also adds an exclusion by RCW 16.52. related to animal husbandry and commercial livestock operations.

Section 1(1)(p)(i)(ii)(iii) amends RCW 16.52.011 and 2020 c 158 s 2, by adding subsection p to define what is “Necessary space”, except as excluded by RCW 16.52.185 related to animal husbandry and commercial livestock operations.

Section 1(1)(q) amends RCW 16.52.011 and 2020 c 158 s 2, by adding subsection q to define what is “Necessary water”.

Section 1(1)(r) amends RCW 16.52.011 and 2020 c 158 s 2, by adding subsection r, previously subsection p, which defines an owner, and removed the word lawful when discussing ownership.

Section 1(1)(s) amends RCW 16.52.011 and 2020 c 158 s 2, by adding subsection s, previously subsection p, which defines what a person is.

Section 1(1)(t) amends RCW 16.52.011 and 2020 c 158 s 2, by adding subsection t, previously subsection q, which defines “Substantial bodily harm” as defined in RCW 9a.04.110.

Section 1(1)(u) amends RCW 16.52.011 and 2020 c 158 s 2, by adding subsection u, previously subsection r, which defines “Tether” as it pertains to restraining an animal.

Section 2(2)(a) amends RCW 16.52.085 and 2023 c 246 s 2, adds RCW 16.52.117 to the list of RCWs, 16.52.205 or 16.52.207, if an order was issued, that an officer may enter a premises and seize an animal if the owner has violated RCW 16.52.200.

Section 2(6) amends RCW 16.52.085 and 2023 c 246 s 2, adds RCW 16.52.117 to the list of RCWs, RCW 16.52.200,

16.52.205 or 16.52.207, that if an order was issued under this subsection, then the seizure is immediate and permanent with no court action necessary, if a person violated RCW 16.52.200.

Section 3(1) amends RCW 16.52.100 and 1994 c 261 s 10, by reducing the time of confinement, without necessary food and water from 36 to 24 hours.

Section 3(2) amends RCW 16.52.100 and 1994 c 261 s 10, by adding this subsection, stating that an investigating officer may enter a premises, if an animal does not have necessary food and water for 24 consecutive hours, if they believe the animal's life is in jeopardy.

Section 3(3) amends RCW 16.52.100 and 1994 c 261 s 10, by adding this subsection, stating that officers do not have to wait until an animal has been without food and water 24 hours, before making a determination that the animal has been abandoned.

Section 4(1) amends RCW 16.52.117 and 2019 c 174 s 1, by adding the words "or aids and abets any of the following:"

Section 5(4) amends RCW 16.52.200 and 2020 c 158 s 5, by adding animal fighting as one of the offenses, a person could be charged with that would prohibit them from owning an animal for a period of time.

Section 5(4)(b) amends RCW 16.52.200 and 2020 c 158 s 5, by adding the words "or for a first conviction of animal fighting under RCW 16.52.117;" as an offense to lose the ability to own animals, permanently.

Section 5(7) amends RCW 16.52.200 and 2020 c 158 s 5, by removing the words one thousand dollars and adding the numbers \$1,000, as the civil penalty to pay.

Section 5(8)(a) amends RCW 16.52.200 and 2020 c 158 s 5, by deleting the words, shall pay a civil penalty of one thousand dollars and adding the words, "Is guilty of a misdemeanor.

Section 5(8)(b) amends RCW 16.52.200 and 2020 c 158 s 5, by deleting the words, shall pay a civil penalty of one thousand dollars and adding the words, "Is guilty of a misdemeanor".

Section 5(8)(c) amends RCW 16.52.200 and 2020 c 158 s 5, by deleting the words, gross misdemeanor and adding the words, "Class C felony".

Section 6(1)(c) amends RCW 16.52.207 and 2020 c 158 s 7, by adding this subsection, which states, the person willingly furthers any act of animal cruelty.

Section 6(2) amends RCW 16.52.207 and 2020 c 158 s 7, by removing the words "An owner of an animal" and adds the word, a person at the beginning of the subsection and by removing the words "owner" and adds the word, "person" at the end of the subsection.

Section 7 reenacts and amends RCW 9.94A.515 and 2024 c 301 s 29 and 2024 c 55 s 1, by adding to Table 2, Crimes Included within each Seriousness Level:

IV, Animal Fighting (with intentional mutilation) (RCW 16.52.117(2)(b))

III Animal Cruelty 1(RCW 16.52.205) Animal Fighting (without intentional mutilation) (RCW 16.52.117(2)(a))

Effective date is assumed 90 days after adjournment of the session in which this bill is passed.

## **II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

## II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The fiscal impact of this bill is indeterminate, assumed to be less than \$50,000 per Fiscal Year (FY).

This bill reduces an existing Class B felony offense to a Class C.

This bill expands the definition of a Class C felony offense and a Class B felony offense.

Establishes a new misdemeanor, gross misdemeanor and increases a gross misdemeanor to a Class C felony in certain circumstances.

Expands the definition of Class C and Class B felony offenses.

Expands the definition of a gross misdemeanor.

Ranks two unranked felony offenses, the Class B felony offense of Animal Fighting with Intentional Mutilation and the Class C felony offense of Animal Fighting without Intentional Mutilation, at Seriousness Levels 4 and 3, respectively, on the Adult Felony Sentencing Grid.

The CFC has no information concerning how many incidents of the new unranked Class B felony offense and Class C felony offense may occur, nor how many more incidents of the expanded felony offense(s) may occur. As such, the CFC cannot reliably predict bed impacts resulting from the bill.

Currently, as unranked felonies, the offenses are not subject to standard sentencing ranges. Courts are required to impose determinate sentences which may include 0-365 days of confinement. This bill ranks two unranked offenses at Seriousness Levels 3 and 4. Ranked at SL 3, the offense would be subject to a sentencing range of between 1-3 months in jail and 51-60 months in prison, depending on the individual's prior history. Ranked at SL 4, the offense would be subject to a sentencing range of between 3-9 months in jail and 63-84 months in prison, depending on the individual's prior history. Therefore, this changes in this bill would likely impact both jail beds and prison beds.

While the impacts are indeterminate, as it is unknown how the expansion of definitions may result in new convictions, the following is provided for informational purposes. In Fiscal Year 2024, there was one individual sentenced to a standard range sentence for the unranked offense of Animal Fighting without Intentional Mutilation. As an unranked offense, no offender score is required, however, the Judgment and Sentence form did indicate an offender score of 1 with confinement imposed of one month. For a SL 3 offense, with a score of 1, the standard range would be 3-8 months which would be higher than the one month imposed, resulting in an increased need for a jail bed.

There were no convictions for Animal Fighting with Intentional Mutilation.

Additionally, the third or more violation of the prohibition of owning, caring for, possessing, or residing with animals that was previously a gross misdemeanor offense is being raised to a Class C offense under the provisions of the bill. The CFC does not collect data on gross misdemeanor offenses, and, therefore, cannot estimate bed impacts resulting from the bill. However, as a gross misdemeanor offense, it is punishable by a term of confinement of 0-364 days in jail and as an unranked Class C felony offense it is punishable by a term of confinement of 0-12 months. It is assumed that there would be no impact on jail beds for this provision.

Customization of the Offender Management Network Information (OMNI) system is needed to meet the requirements of this legislation. Due to the complexity of completing the development, testing, and implementation of the statutory changes, contracted services are necessary in FY2026.

To implement this legislation, OMNI data tables need to be updated to RCW 9.94A.525 for technical corrections.

Cost Calculation Estimate:

IT Application Developer| \$185 per hour x 30 hours = \$5,550  
 IT Business Analyst| \$185 per hour x 5 hours = \$,925  
 IT Quality Assurance| \$185 per hour x 8 hours = \$1,480  
 Total One-Time Costs in FY2026 \$8,000 (rounded)

The DOC assumes this bill would likely result in an Average Daily Population (ADP) increase, although the impact cannot be reliably estimated. Therefore, the fiscal impact is indeterminate, assumed to be less than \$50,000 per FY.

**ASSUMPTIONS**

(1) The estimated ADP impact to DOC prison facilities/institutions and/or community supervision/violator caseloads is based on projections from CFC.

(2) We assume a Direct Variable Cost (DVC) of \$7,808 per incarcerated individual per FY to facilitate cost discussions during legislative session for bills. This cost estimate includes prison and health services' direct variable costs. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. The DVC is calculated by DOC and reviewed and approved with the Office of Financial Management, Senate, and House staff each legislative session.

(3) For illustration purposes only, the average annual Community Supervision caseload model is \$6,072 per ADP (not including startup costs), regardless of the supervised risk level based on the workload model. If ADP impacts are applicable to this fiscal note, the calculated rate per community supervision ADP includes direct supervision and ancillary units, such as Hearings, Records, and Training, that are directly affected by supervision population changes. The estimate will vary based on the risk level of the supervised individuals, which requires different staffing levels. The population trend data used is based on the Risk Level Classification tool and provides a risk level of 42.8% high violent, 27.3% high non-violent, 21% moderate, 7.9% low, and 1.0% unclassified. (June – November 2017).

(4) The DOC assumes that any increase in community supervision caseload will result in an increased need for violator beds. For illustration, the FY2024 average percentage of supervised individuals who served jail time and were billed by the local jurisdictions for violating their conditions of supervision was a rate of 2.0%. The current average daily cost for jail beds is \$123.24 per day, inclusive of all risk levels and healthcare costs. The rate is an average, and actual rates vary by local correctional facilities.

(5) We assume additional impacts will result when ADP caseload changes in either prison or community and resources will be necessary. The DOC will evaluate the fiscal impacts and may submit future budget requests to cover these costs should the legislation be enacted into session law.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
001-1	General Fund	State	8,000	0	8,000	0	0
<b>Total \$</b>			8,000	0	8,000	0	0

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

**III. B - Expenditures by Object Or Purpose**

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts	8,000		8,000		
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	8,000	0	8,000	0	0

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

**III. D - Expenditures By Program (optional)**

Program	FY 2026	FY 2027	2025-27	2027-29	2029-31
Administration & Support Services (100)	8,000		8,000		
<b>Total \$</b>	8,000		8,000		

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1149 S HB

Title: Cruelty to animals

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- Cities: Indeterminate costs for law enforcement.
- Counties: Indeterminate for law enforcement, prosecutors, court-appointed defense attorneys, jails, and county juvenile detention facilities.
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

## Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: Number of violations of new offenses related to animal cruelty.

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

## Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 01/21/2025
Leg. Committee Contact: Michelle Rusk	Phone: 360-786-7153	Date: 01/16/2025
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/21/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/27/2025

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Description of the bill with an emphasis on how it impacts local government.*

#### **CHANGES BETWEEN THIS VERSION AND PRIOR VERSION:**

The substitute bill changes the felony classification for Animal Fighting when a person intentionally mutilates an animal from a class B felony to a class C felony. This does not change the indeterminate impacts discussed below.

#### **SUMMARY OF CURRENT BILL:**

Sec. 3 amends RCW 16.52.100. If any domestic animal is impounded or confined without necessary food and water for more than 24 consecutive hours, any person may enter into and open any place of confinement in which any domestic animal is confined, and supply it with necessary food and water. An investigating officer may enter into and upon a property, building, dwelling, or vehicle to provide a confined animal necessary food and water prior to the animal being without necessary food or water for 24 consecutive hours if the officer has probable cause to believe the animal's health or life is in imminent danger.

Sec. 4 amends RCW 16.52.117 to modify the definition of animal fighting. A person who intentionally mutilates an animal in furtherance of an animal fighting offense as described in subsection (1) of this section is guilty of a class C felony punishable under RCW 9A.20.021.

Sec. 5 amends RCW 16.52.200. If a person violates the prohibition on owning, caring for, possessing, or residing with animals under subsection (4) of this section, that person: (a) Is guilty of a misdemeanor for the first violation; (b) Is guilty of a gross misdemeanor for the second violation; and (c) Is guilty of a class C felony for the third and each subsequent violation.

Sec. 6 amends RCW 16.52.207. A person is guilty of animal cruelty in the second degree if the person willfully instigates, engages in, or in any way furthers any act of animal cruelty to any animal.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

The legislation would have an indeterminate impact on cities and counties due to the creation and modification of crimes related to animal cruelty. Because the number of new offenses cannot be predicted, the costs are indeterminate.

#### **LAW ENFORCEMENT IMPACTS:**

The average cost for a law enforcement officer to respond to, investigate, and document evidence of a similar felony for animal cruelty is \$1,782. The costs for misdemeanors and gross misdemeanors are generally less, at \$1,289 and \$977 respectively.

#### **PROSECUTION AND DEFENSE IMPACTS:**

The average cost for a county prosecutor to prosecute a similar offense (both felonies and misdemeanors) for animal cruelty is \$3,500, and the costs for a court-appointed defense attorney to defend the crime are the same, at \$3,500.

#### **JAIL AND JUVENILE DETENTION IMPACTS:**

The new offenses would result in additional jail and juvenile detention facility sentences, described below. The average cost for a county jail bed is \$145 per day, according to the Local Government Fiscal Note Program criminal justice cost model.

According to the Caseload Forecast Council (CFC), the bill ranks two unranked offenses at Seriousness Levels 3 and 4. Ranked at SL 3, the offense would be subject to a sentencing range of between 1-3 months in jail and 51-60 months in prison, depending on the individual's prior history. Ranked at SL 4, the offense would be subject to a sentencing range of

between 3-9 months in jail and 63-84 months in prison, depending on the individual's prior history Therefore, this changes in this bill would likely impact both jail beds and prison beds.

Additionally, the third or more violation of the prohibition of owning, caring for, possessing, or residing with animals that was previously a gross misdemeanor offense is being raised to a Class C offense. The CFC assumes that there would be no impact on jail beds for this provision.

The newly established Class C felony offense would be ranked at Category C on the Juvenile Sentencing Grid. As a Category C offense, the offense would be punishable by a standard range term of between Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks in Juvenile Rehabilitation (depending on the number of prior adjudications). Therefore, incidences of this offense would likely impact both local juvenile detention and Juvenile Rehabilitation beds.

In addition, the bill establishes a new misdemeanor, a new gross misdemeanor, and expands the definition of an existing gross misdemeanor offense. For juveniles, these new crimes would be punishable by local sanctions served in juvenile detention for up to 30 days of confinement.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

The legislation would have no revenue impacts for local governments.

#### **SOURCES:**

Caseload Forecast Council

Local Government Fiscal Note Program 2025 criminal justice cost model