

# FINAL BILL REPORT

## SSB 5290

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### C 419 L 05

Synopsis as Enacted

**Brief Description:** Including goats in theft of livestock in the first degree.

**Sponsors:** Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Delvin, Rasmussen, Schoesler, Shin, Morton, Jacobsen and Mulliken).

**Senate Committee on Agriculture & Rural Economic Development**  
**House Committee on Criminal Justice & Corrections**

**Background:** First degree theft of livestock--the willful taking of horses, mules, cows, heifers, bulls, steers, swine, or sheep with intent to sell or exchange and to deprive or defraud the owner-- is a class B felony. Class B felonies are punishable by imprisonment for up to ten years, or by a fine of up to \$20,000, or both.

A person who commits what would otherwise be first degree theft of livestock but without intent to sell or exchange, and for their use only, is guilty of second degree theft of livestock, a class C felony. Class C felonies are punishable by imprisonment for up to five years, or by a fine of up to \$10,000, or both.

In both cases, courts must impose a \$2,000 minimum fine for each animal killed or possessed, in addition to any other penalty.

A person who suffers damages from first or second degree theft of livestock may bring a civil action against the offender for treble damages and attorney's fees.

Goats are not included in livestock theft statutes. Instead, theft of a goat is punishable as ordinary property theft in the first degree (theft of property worth over \$1,500, a class B felony), second degree (theft of property worth over \$250 up to \$1,500, a class C felony), or third degree (theft of property worth up to \$250, a gross misdemeanor punishable by a jail term of up to one year and a fine of up to \$5,000). A minimum fine is not specified for any of these offenses.

It has been suggested that goats be included in the list of animals theft of which constitutes first or second degree theft of livestock and is the basis for a civil action for treble damages and attorney's fees.

**Summary:** Goats are added to the list of animals theft of which constitutes the felonies of first or second degree theft of livestock and is the basis for a civil action for treble damages and attorney's fees.

A person who suffers damage to livestock, including goats, as a result of criminal animal cruelty may bring a civil action against the offender for treble damages and attorney's fees.

**Votes on Final Passage:**

Senate	46	0	
House	93	1	(House amended)
Senate	37	10	(Senate concurred)

**Effective:** July 24, 2005