



[RCWs](#) > [Title 16](#) > [Chapter 16.52](#) > [Section 16.52.207](#)

[16.52.205](#) << [16.52.207](#) >> [16.52.210](#)

RCW 16.52.207

Animal cruelty in the second degree—Penalty.

(1) A person is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty, the person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal.

(2) An owner of an animal is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty, the owner knowingly, recklessly, or with criminal negligence:

(a) Fails to provide the animal with necessary shelter, rest, sanitation, space, or medical attention and the animal suffers unnecessary or unjustifiable physical pain as a result of the failure;

(b) Under circumstances not amounting to animal cruelty in the second degree under (c) of this subsection, abandons the animal; or

(c) Abandons the animal and (i) as a result of being abandoned, the animal suffers bodily harm; or (ii) abandoning the animal creates an imminent and substantial risk that the animal will suffer substantial bodily harm.

(3) Animal cruelty in the second degree is a gross misdemeanor.

(4) In any prosecution of animal cruelty in the second degree under subsection (1) or (2)(a) of this section, it shall be an affirmative defense, if established by the defendant by a preponderance of the evidence, that the defendant's failure was due to economic distress beyond the defendant's control.

[[2011 c 172 § 5](#); [2007 c 376 § 1](#); [2005 c 481 § 2](#); [1994 c 261 § 9](#).]

NOTES:

Finding—Intent—1994 c 261: See note following RCW [16.52.011](#).

Site Contents

Selected content listed in alphabetical order under each group

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[Come to the Legislature](#)

[Comment on a Bill](#)

[Contact Your Legislators](#)

Find

[Bills](#)

[Committee Meeting Schedules & Agendas](#)

[District & Legislators](#)

[Laws & Rules](#)

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[Legislative Information Center](#)

[Legislature Home](#)

[Senate](#)

Track Legislation

[Bills](#)

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[RSS Feeds](#)

[Web Services](#)

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[Accessibility Information](#)

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