

this section and such transfer shall exonerate the superintendent from further responsibility relative to such money or property: AND PROVIDED FURTHER, That upon satisfactory showing the funeral expenses of such decedent are unpaid, the superintendent may pay up to one thousand dollars from said deceased inmate's funds on said obligation.

NEW SECTION. Sec. 3. A new section is added to chapter 11.08 RCW to read as follows:

Escheat property may be transferred to the department of revenue under the provisions of RCW 11.62.005 through 11.62.020. The department of revenue shall furnish proof of death and an affidavit made by the department which meets the requirements of RCW 11.62.010 to any person who is indebted to or has possession of any personal property belonging to the decedent or to the decedent and his or her surviving spouse as a community, which debt or personal property is an asset which is subject to probate. Upon receipt of such proof of death and affidavit, the person shall pay the indebtedness or deliver the personal property, or as much of either as is claimed, to the department of revenue pursuant to RCW 11.62.010.

The department of revenue shall file a copy of its affidavit made pursuant to chapter 11.62 RCW with the clerk of the court where any probate administration of the decedent has been commenced, or, if no probate administration has been commenced, then with the clerk of the court of any county provided by law as a place for probate administration of the estate of such person. The affidavit shall be indexed under the name of the decedent in the probate index upon payment of a fee of two dollars. Any claimant to escheated funds shall have seven years from the filing of the affidavit by the department of revenue within which to file the claim. The claim shall be filed with the clerk of the court where the affidavit of the department of revenue was filed, and a copy served upon the department of revenue, together with twenty days notice of a hearing to be held thereon, and the provisions of RCW 11.08.250 through 11.08.280 shall apply.

Passed the Senate February 7, 1990.

Passed the House March 2, 1990.

Approved by the Governor March 27, 1990.

Filed in Office of Secretary of State March 27, 1990.

CHAPTER 226

[Substitute Senate Bill No. 6195]

DOGS AND CATS—USE AS TRAINING BAIT PROHIBITED

AN ACT Relating to animals; adding a new section to chapter 16.52 RCW; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

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

(1) Any person who uses domestic dogs or cats as bait, prey, or targets for the purpose of training dogs or other animals to track, fight, or hunt, in such a fashion as to torture, torment, deprive of necessary sustenance, cruelly beat, or mutilate such animals, shall be guilty of a misdemeanor.

(2) Any person who violates the provisions of subsection (1) of this section, and whose actions result in the death of the animal, shall be guilty of a gross misdemeanor.

(3) Any person who captures by trap a domestic dog or cat to be used as bait, prey, or targets for the purpose of training dogs or other animals to track, fight, or hunt, in such a fashion as to torture, torment, deprive of necessary sustenance, cruelly beat, or mutilate such animals, shall be guilty of a misdemeanor.

(4) Any person who violates the provisions of subsection (3) of this section, and whose actions result in the death of the animal, shall be guilty of a gross misdemeanor.

(5) If a person violates this section, law enforcement authorities shall seize and hold the animals being trained. Such animals shall be disposed of by the court pursuant to the provisions of RCW 16.52.200(3).

(6) This section shall not in any way interfere with or impair the operation of any provision of Title 28B RCW, relating to higher education or biomedical research.

Passed the Senate March 5, 1990.

Passed the House March 2, 1990.

Approved by the Governor March 27, 1990.

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CHAPTER 227

[House Bill No. 2561]

REPLEVIN

AN ACT Relating to replevin; amending RCW 7.64.010, 7.64.020, 7.64.035, 7.64.045, 7.64.050, 7.64.100, and 7.64.110; adding new sections to chapter 7.64 RCW; and repealing RCW 7.64.060, 7.64.080, 7.64.090, and 7.64.120.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 100, page 150, Laws of 1854 as last amended by section 1, chapter 132, Laws of 1979 ex. sess. and RCW 7.64.010 are each amended to read as follows:

The plaintiff in an action to recover the possession of personal property may claim and obtain the immediate delivery of such property, after a hearing, as provided in this chapter.