
HOUSE BILL 1229

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Haigh, Haler, Dunshee, Hunt, Roberts, Sullivan, Ryu, Fitzgibbon, Lias, Pollet, Reykdal, Sells, Stanford, Appleton, Goodman, Jinkins, Kagi, Maxwell, Morrell, Upthegrove, Tharinger, and Hudgins

Read first time 01/21/13. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to enhancing local animal care and control
2 functions primarily through the provision of a means for low-income
3 individuals to receive assistance for animal population control
4 services; amending RCW 15.53.9018, 15.53.9044, and 18.92.260; adding a
5 new chapter to Title 74 RCW; prescribing penalties; and providing an
6 effective date.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** The legislature finds that:

9 (1) Pets owned by low-income individuals are less likely to be
10 spayed or neutered than pets owned by individuals with higher levels of
11 income. The cost of spay and neuter surgery is a barrier to achieving
12 higher levels of surgically sterilized pets.

13 (2) Tens of thousands of stray and homeless dogs and cats are
14 handled by Washington's animal care and control agencies and other
15 animal welfare organizations each year, costing millions of dollars.
16 This presents a significant financial burden to these organizations and
17 to Washington taxpayers.

18 (3) Unaltered dogs account for most serious incidences of

1 unprovoked dog aggression and dog bites, causing injury, suffering,
2 expense, and financial liability. This is a public safety issue that
3 has not been adequately addressed in Washington state.

4 (4) Many thousands of adoptable dogs and cats are put to death in
5 shelters each year because there are not enough homes found to place
6 them. This is a tragic consequence of animal overpopulation.

7 (5) The majority of feral and free-roaming cats in Washington are
8 not spayed or neutered, thus contributing significantly to the
9 population of cats that are homeless and euthanized in shelters.

10 (6) Providing a means for low-income individuals to assist in the
11 reduction of the companion animal population through spay and neuter
12 surgery will reduce the number of animals handled and cared for by
13 animal care and control agencies and other animal welfare
14 organizations. This, in turn, will help reduce costs these agencies
15 and organizations incur for handling stray, abandoned, relinquished,
16 and homeless animals and, most importantly, will help reduce the number
17 of animals that die in shelters.

18 (7) Increasing the numbers of dogs that are surgically sterilized
19 will help reduce risks of dog bites that result in injury, death,
20 medical costs, and liability. Increasing the numbers of feral and
21 free-roaming cats that are surgically sterilized will reduce the
22 burdens they place on animal care and control agencies, shelters,
23 animal rescue organizations, and individuals who care for these
24 unowned, lost, or abandoned animals.

25 (8) The most effective and humane way to reduce the number of
26 animals dying in shelters is to reduce animal overpopulation through a
27 targeted, statewide spay and neuter surgery network.

28 (9) A companion animal safety, population control, and spay/neuter
29 assistance program is necessary to address the problems and costs of
30 companion animal overpopulation. The program should be funded through
31 a fee that is practical, administratively feasible, and targeted at the
32 class of Washington residents that is most responsible for companion
33 animals and their impact on our communities: Owners of cats and dogs.

34 NEW SECTION. **Sec. 2.** The definitions in this section apply
35 throughout this chapter unless the context clearly requires otherwise.

36 (1) "Account" means the companion animal spay/neuter assistance
37 account created in section 9 of this act.

1 (2) "Animal care and control agency" means an agency or authority
2 as defined in RCW 16.52.011(2)(c).

3 (3) "Cat" means a member of the species *Felis catus*.

4 (4) "Companion animal" means a cat or dog and includes a feral or
5 free-roaming cat as defined in this section.

6 (5) "Copayment" means the amount in dollars that a low-income owner
7 of a dog or cat may be required to pay for spay or neuter surgery.

8 (6) "Department" means the department of social and health
9 services.

10 (7) "Dog" means a member of the species *Canis familiaris*.

11 (8) "Feral or free-roaming cat" means a cat that is unowned, lost,
12 or abandoned.

13 (9) "Low income" means an individual who is a resident of
14 Washington state and meets the income limitations defined in section
15 4(2) of this act or participates in a public assistance program defined
16 in section 4(2) of this act.

17 (10) "Medically unfit" means unsuitable for a surgical procedure
18 due to any medical condition that may place a dog or cat at
19 life-threatening risk if a surgical procedure is performed on such an
20 animal, as determined by a veterinarian.

21 (11) "Neuter" means the surgical procedure of castrating a male dog
22 or cat.

23 (12) "Owner" means an individual or individuals with ownership
24 rights and responsibilities for a dog or cat.

25 (13) "Participating spay and neuter surgery provider" means a
26 private veterinarian, private veterinary practice, animal care and
27 control agency, or nonprofit organization that performs spay and neuter
28 surgeries on companion animals belonging to low-income individuals, or
29 spay and neuter surgeries on feral or free-roaming cats, and is
30 participating in the program established under this chapter.

31 (14) "Program" means the companion animal safety, population
32 control, and spay/neuter assistance program created in this chapter.

33 (15) "Secretary" means the secretary of the department of social
34 and health services or the secretary's designee.

35 (16) "Shelter" means a facility that is owned by a public, private,
36 or nonprofit organization that provides food, water, and housing for
37 stray, abandoned, abused, or owner-surrendered dogs and cats.

1 (17) "Spay" means the surgical procedure of ovariohysterectomy on
2 a female dog or cat.

3 (18) "Surgical sterilization" means performing spay or neuter
4 surgery on a dog or cat.

5 (19) "Voucher" means a nontransferable document that, when approved
6 by the secretary or the secretary's designee, authorizes low-income
7 owners of companion animals or caretakers of feral and free-roaming
8 cats to receive program-supported companion animal spay or neuter
9 surgeries, presurgical examinations, and vaccinations by participating
10 spay and neuter surgery providers.

11 NEW SECTION. **Sec. 3.** (1) The companion animal safety, population
12 control, and spay/neuter assistance program is established. The
13 purpose of the program is to provide for spaying and neutering of
14 companion animals owned by low-income individuals and for spaying and
15 neutering feral and free-roaming cats. This, in turn, will promote
16 greater public safety and humanely reduce the number of homeless
17 animals that require animal control services and enter our state's
18 animal shelters.

19 (2) The department shall administer the program and shall:

20 (a) Establish criteria and procedures for screening companion
21 animal owners and caretakers of feral and free-roaming cats for
22 eligibility to participate in the program. Caretakers of feral and
23 free-roaming cats are not subject to the low-income requirements set
24 forth in section 4(2) of this act;

25 (b) Enroll spay and neuter surgery providers and publicize the
26 program and the names and locations of participating spay and neuter
27 surgery providers;

28 (c) Screen companion animal owners and caretakers of feral and
29 free-roaming cats for eligibility or contract for screening to promote
30 the ease and convenience of applying for services under the program;

31 (d) Obtain the greatest number of spay and neuter surgeries that
32 can be accomplished efficiently, consistent with the program's purpose
33 and availability of funds;

34 (e) To the extent practical, maximize the ease and convenience for
35 eligible owners and caretakers of companion animals to apply for and
36 receive spay, neuter, and other authorized veterinary medical services,

1 and minimize administrative burdens, procedures, and costs for
2 participating spay and neuter surgery providers that participate in the
3 program; and

4 (f) Actively promote the program to inform low-income individuals
5 about the assistance offered by the program and the public about
6 companion animal overpopulation issues and surgical sterilization.

7 (3) The department's priorities for expenditures are to fund spay
8 and neuter surgeries on companion animals belonging to low-income
9 individuals who are Washington state residents and for spaying and
10 neutering feral and free-roaming cats.

11 (4) The department may expend moneys from the account to pay the
12 costs of presurgical examinations and vaccinations of companion animals
13 eligible for spay or neuter surgery.

14 (5) To the extent that moneys from the account are available and
15 spay and neuter funding priorities are met, as determined by the
16 secretary, the department may expend money from the account for spay
17 and neuter surgeries on companion animals that are in the possession of
18 animal shelters, animal care and control agencies, and other animal
19 welfare organizations. Expenditures under this subsection may be made
20 for spay and neuter surgeries on companion animals: Received as stray
21 or abandoned; relinquished by companion animals' owners or caretakers;
22 transferred in from other shelters, agencies, or organizations; or
23 taken into custody in accordance with chapter 16.52 RCW or local
24 ordinances.

25 (6) The department shall set copayment amounts for spay or neuter
26 surgery on owned companion animals. The copayment amounts may not
27 exceed twenty dollars per dog and ten dollars per cat. Any copayments
28 due must be paid by or on behalf of low-income owners of companion
29 animals to participating spay and neuter surgery providers. There is
30 no copayment due for spay or neuter surgery performed on feral or free-
31 roaming cats.

32 (7) The department may not use moneys from the account to provide
33 veterinary medical services to the public at large.

34 (8) Other agencies of the state, including but not limited to the
35 department of health and the Washington state health care authority,
36 shall work cooperatively with the department to facilitate the
37 development of screening procedures for determining the eligibility of

1 low-income applicants to participate in the program. The department of
2 agriculture shall assist the department in collecting companion animal
3 spay/neuter fees as specified in RCW 15.53.9018.

4 (9) The department may contract with public, private, or nonprofit
5 agencies or organizations with relevant experience and expertise to
6 accomplish the purposes of the program.

7 (10) At least ninety percent of the funds from the account must be
8 used for payments to spay/neuter surgery providers for performing
9 spay/neuter surgery and other authorized services, informing and
10 educating the public about the benefits of spay/neuter surgery for
11 companion animals, and promoting the program to the public. No more
12 than ten percent of the funds from the account may be expended for
13 other purposes, including program administration.

14 NEW SECTION. **Sec. 4.** (1) The department may expend moneys from
15 the account for spay and neuter surgeries and other authorized services
16 for companion animals that are:

17 (a) Owned by qualified low-income individuals;

18 (b) Feral or free-roaming cats; or

19 (c) Not owned by individuals but are in the possession of animal
20 shelters, animal care and control agencies, and other animal welfare
21 organizations.

22 (2) An individual is "low income" if the individual is a resident
23 of Washington state and certifies or provides evidence that he or she:

24 (a) Meets the definition of "low-income household" defined in RCW
25 43.185A.010; or

26 (b) Is eligible for and participates in at least one of the
27 following public assistance programs:

28 (i) The Washington basic food program administered by the
29 department;

30 (ii) Basic health administered by the Washington state health care
31 authority;

32 (iii) Medical assistance programs administered by the department
33 that fall within a household income limitation of two hundred fifty
34 percent of the federal poverty level as defined by the United States
35 department of health and human services;

36 (iv) Supplemental security income administered by the federal
37 social security administration; or

1 (v) Any other public assistance program that the secretary
2 determines is sufficient to qualify a person as a low-income
3 individual.

4 (3) No unowned dog or cat transferred from jurisdictions outside
5 Washington state into this state is eligible for spay or neuter surgery
6 under the program.

7 NEW SECTION. **Sec. 5.** (1) Any private veterinarian, private
8 veterinary practice, animal care and control agency, and nonprofit
9 organization whose services include performing spay and neuter
10 surgeries on companion animals is eligible to apply to the department
11 to participate in the program.

12 (2) Spay and neuter services provided under the program may only be
13 performed by veterinarians licensed under chapter 18.92 RCW.

14 (3) Participation by spay and neuter surgery providers in the
15 program is voluntary. Participating spay and neuter surgery providers
16 may also elect to exclude particular species (dog or cat) and
17 participants may exclude acceptance of feral or free-roaming cats.

18 (4) Any private veterinarian, private veterinary practice, animal
19 care and control agency, or nonprofit organization that performs
20 companion animal spay and neuter surgeries that is interested in
21 participating in the program must submit an application to the
22 department that includes a schedule listing the fees charged for
23 companion animal sterilization in its normal course of business.
24 Applicants must list separate fees for surgical sterilization of female
25 cats, male cats, female dogs within various weight ranges, male dogs
26 within various weight ranges, and for other surgical classifications as
27 the department determines. In addition to providing a schedule of
28 fees, applicants that are animal care and control agencies or nonprofit
29 organizations must include reasonable documentation of their direct and
30 indirect costs of performing surgical sterilization.

31 (5) The department shall reimburse each participating private
32 veterinary spay and neuter surgery provider for companion animal
33 sterilization based upon the provider's normal fee schedule, provided
34 that it does not exceed an amount that the department determines is
35 usual, customary, and reasonable. The usual, customary, and reasonable
36 fee limit shall be calculated at the seventieth percentile rate, based
37 upon the department's review of prevailing fees for similar services

1 charged by peer private veterinary practices in Washington state. That
2 fee limit is the rate at which seventy percent of private practice
3 prevailing fees do not exceed. The department may establish rates of
4 compensation for presurgical examinations and for administration of
5 vaccinations in such a manner and at a level as the department
6 determines is fair and reasonable.

7 (6) The department shall establish separate rates of compensation
8 for the reasonable costs of surgical sterilization provided by animal
9 care and control agencies and nonprofit organizations that are
10 participating spay and neuter surgery providers. Compensation provided
11 under this section may not exceed the fee limit established for private
12 veterinary practices under subsection (5) of this section.

13 (7) The department shall adjust rates of compensation at two-year
14 intervals.

15 (8) No participating spay and neuter surgery provider is required
16 to perform medical procedures on an animal that the provider determines
17 is medically unfit.

18 (9) Participating private veterinarians or private veterinary
19 practices are not required to screen applicants for eligibility,
20 although they may do so voluntarily. The department may require that
21 animal care and control agencies and nonprofit organizations that are
22 participating spay and neuter surgery providers screen applicants for
23 eligibility.

24 (10) The department shall provide payment on a monthly basis to all
25 participating spay and neuter surgery providers for spay and neuter
26 surgeries, presurgical examinations, and vaccinations authorized by the
27 department for reimbursement. Services not authorized for payment may
28 not be reimbursed. Companion animal owners and caretakers of feral and
29 free-roaming cats are responsible for payment of any additional fees
30 due to the participating spay and neuter surgery provider that are
31 mutually agreed upon, administered by that provider, and not covered
32 under the program.

33 (11) To receive reimbursement for spay and neuter surgeries and
34 other approved services, the participating spay and neuter surgery
35 provider must submit documentation of authorized services performed as
36 required by the department.

1 NEW SECTION. **Sec. 6.** The department shall adopt policies and
2 procedures relative to:

3 (1) Determining eligibility for spay and neuter surgery;

4 (2) Establishing copayment amounts for spay and neuter surgeries on
5 companion animals owned by qualified low-income individuals;

6 (3) Enrolling spay and neuter surgery providers in the program;

7 (4) Determining the percentage of moneys to be allocated to spay
8 and neuter surgery, education of the public, and other purposes;

9 (5) Determining fair and reasonable rates of compensation for spay
10 and neuter surgeries, presurgical examinations, and vaccinations, and
11 for making fair and reasonable adjustments to those rates;

12 (6) Providing guidance to shelters concerning shelter reporting as
13 required under section 13 of this act; and

14 (7) Any other matter necessary for the administration of this act.

15 **Sec. 7.** RCW 15.53.9018 and 2006 c 209 s 2 are each amended to read
16 as follows:

17 (1) Every registrant or licensee must file a semiannual report on
18 forms provided by the department setting forth the number of tons of
19 commercial feed distributed in or into this state. The report must be
20 filed regardless of the amount of feed distributed or inspection fees
21 owed. The report must include:

22 (a) The name and mailing address of the registrant or licensee;

23 (b) The physical address of the registrant or licensee;

24 (c) The name, contact information, and signature of the person
25 filing the report;

26 (d) The total number of tons distributed in or into this state;

27 (e) The total number of tons on which the registrant or licensee is
28 paying fees;

29 (f) If the registrant or licensee is not paying inspection fees on
30 all commercial feed he or she distributed in or into this state,
31 information regarding the registrants or licensees that are responsible
32 for paying the inspection fees and the number of tons involved; (~~and~~)

33 (g) If the registrant or licensee is not paying companion animal
34 spay/neuter fees on all pet food he or she distributed in or into this
35 state, information regarding the registrants or licensees that are
36 responsible for paying the companion animal spay/neuter fees and the
37 number of tons involved; and

1 (h) Other information required by the department by rule.

2 (2) Except as provided in subsections (3) through (5) of this
3 section(~~(7)~~):

4 (a) Each initial distributor or responsible buyer must pay to the
5 department an inspection fee on all commercial feed distributed by such
6 person during the reporting period. (~~The inspection fee must~~
7 ~~accompany the report required in subsection (1) of this section.~~) The
8 inspection fee shall be not less than four cents nor more than twelve
9 cents per ton as prescribed by the department by rule. (~~These fees~~)
10 The inspection fee shall be used for enforcement and administration of
11 this chapter and its rules.

12 (b) Each initial distributor or responsible buyer of pet food must
13 pay to the department a companion animal spay/neuter fee on all pet
14 food distributed by such person during the reporting period. However,
15 no initial distributor or responsible buyer shall owe a companion
16 animal spay/neuter fee if the amount of pet food distributed during the
17 reporting period was less than one ton. Specialty pet food is not
18 subject to the companion animal spay/neuter fee. The companion animal
19 spay/neuter fee is fifty dollars per ton, with fractional amounts
20 subject to the fee proportionally. The companion animal spay/neuter
21 fee shall be deposited into the companion animal spay/neuter assistance
22 account created in section 9 of this act.

23 (c) All fees must accompany the report required in subsection (1)
24 of this section.

25 (3) The initial distributor is not required to pay an inspection
26 fee or companion animal spay/neuter fee for commercial feed he or she
27 distributed to a responsible buyer.

28 (4) In a situation where a responsible buyer is distributing to
29 another responsible buyer, the inspection fee, and if applicable, the
30 companion animal spay/neuter fee must be paid by the last responsible
31 buyer to distribute the commercial feed.

32 (5) The initial distributor or responsible buyer is not required to
33 pay an inspection fee or companion animal spay/neuter fee for: (a)
34 (~~Pet food and specialty pet food distributed in packages weighing less~~
35 ~~than ten pounds;~~ ~~(b)~~) Distribution of bona fide experimental feeds on
36 which accurate records and experimental programs are maintained;
37 (~~(c)~~) (b) commercial feed distributed to points outside this state;
38 and (~~(d)~~) (c) food processing byproducts from fruit, vegetable, or

1 potato processing plants, freezing or dehydrating facilities, or juice
2 or jelly preserving plants. In addition, the initial distributor or
3 responsible buyer is not required to pay an inspection fee for pet food
4 and specialty pet food distributed in packages weighing less than ten
5 pounds.

6 (6) Tonnage will be reported and inspection fees will be paid on
7 (a) byproducts or products of sugar refineries; and (b) materials used
8 in the preparation of pet foods and specialty pet food. Tonnage will
9 be reported and companion animal spay/neuter fees will be paid on
10 materials used in the preparation of pet food.

11 (7)(a) Each person made responsible by this chapter for filing a
12 report or paying inspection fees and, if applicable, companion animal
13 spay/neuter fees, must do so according to the following schedule:

14 (i) For the period January 1st through June 30th of each year, the
15 report (~~and~~), inspection fees, and companion animal spay/neuter fees
16 are due on July 31st of that year; and

17 (ii) For the period July 1st through December 31st of each year,
18 the report (~~and~~), inspection fees, and companion animal spay/neuter
19 fees are due on January 31st of the following year.

20 (b) If a complete report is not received by the due date or the
21 appropriate inspection fees and companion animal spay/neuter fees are
22 not received by the due date, the person responsible for filing the
23 report or paying the inspection fee and companion animal spay/neuter
24 fee must pay a late fee equal to fifteen percent of the (~~inspection~~)
25 fees owed or fifty dollars, whichever is greater.

26 (c) The department may cancel the registration of a person's
27 commercial feed or may cancel a person's commercial feed license if
28 that person fails to pay the late fee. The applicant or licensee may
29 request a hearing as authorized under chapter 34.05 RCW.

30 (8) If inspection fees are owed, the minimum inspection fee is
31 twelve dollars and fifty cents.

32 (9) For the purpose of verifying the accuracy of reports and
33 payment of appropriate inspection and companion animal spay/neuter
34 fees, the department may examine, at reasonable times, a registrant's
35 or licensee's distribution records and may require each registrant or
36 licensee to maintain records or file additional reports. These records
37 must be maintained in usable condition by the registrant or licensee

1 for a period of (~~three~~) five years unless by rule this retention
2 period is extended and must be submitted to the department upon
3 request.

4 (10) The report required by subsection (1) of this section shall
5 not be a public record, and any information given in such report which
6 would reveal the business operation of the person making the report is
7 exempt from public disclosure under chapter 42.56 RCW, and information
8 obtained by the department from other governmental agencies or other
9 sources that is used to verify information received in the report is
10 exempt from public disclosure under chapter 42.56 RCW. However, this
11 subsection does not prevent the use of information concerning the
12 business operation of a person if any action, suit, or proceeding
13 instituted under the authority of this chapter, including any civil
14 action for collection of unpaid inspection fees or companion animal
15 spay/neuter fees, which action is hereby authorized and which shall be
16 as an action at law in the name of the director of the department.

17 (11) Any commercial feed obtained by a consumer or contract feeder
18 outside the jurisdiction of this state and brought into this state for
19 use is subject to all the provisions of this chapter, including
20 inspection fees and companion animal spay/neuter fees.

21 **Sec. 8.** RCW 15.53.9044 and 2005 c 18 s 9 are each amended to read
22 as follows:

23 Except as otherwise provided in this chapter, all moneys collected
24 under this chapter shall be paid to the director and deposited in an
25 account within the agricultural local fund. Such deposits shall be
26 used only in the administration and enforcement of this chapter.

27 NEW SECTION. **Sec. 9.** The companion animal spay/neuter assistance
28 account is created in the custody of the state treasurer. All
29 companion animal spay/neuter fees received under RCW 15.53.9018, gifts
30 and grants to the program under section 10 of this act, or other
31 revenue directed to the account must be deposited into the account.
32 Expenditures from the account may be used only for the program as
33 authorized by this chapter. Only the secretary or the secretary's
34 designee may authorize expenditures from the account. The account is
35 subject to allotment procedures under chapter 43.88 RCW, but an
36 appropriation is not required for expenditures.

1 NEW SECTION. **Sec. 10.** The department may accept any donations,
2 grants, bequests, and devises, conditional or otherwise, or money,
3 property, service, or other things of value which may be received from
4 the United States or any agency thereof, any governmental agency, any
5 institution, person, firm, or corporation, public and private, to be
6 held, used, or applied for the purposes of the program established
7 under this chapter.

8 NEW SECTION. **Sec. 11.** A person who knowingly falsifies the
9 following information is guilty of a misdemeanor and may be suspended
10 from participation in the program:

11 (1) Individual and household income or ownership of a pet in order
12 to qualify for pet sterilization;

13 (2) Prevailing fees and rates charged for spay and neuter
14 surgeries, presurgical examinations, and vaccinations; or

15 (3) Payment requests submitted to the department for performance of
16 services.

17 NEW SECTION. **Sec. 12.** By April 30, 2015, and annually thereafter,
18 the department shall prepare and submit to the governor and the
19 legislature a report that describes and evaluates the program's
20 performance and impact over the previous year and cumulatively since
21 its inception. At the least, the report must include the following
22 elements: The number of spay and neuter surgeries performed by
23 individual spay/neuter surgery providers, the number of surgeries
24 performed within each county, and the number performed statewide; the
25 number of dogs and cats received by animal shelters and the sources and
26 fates of these animals reported by shelter, by county, and statewide;
27 program revenue and expenditures; effectiveness, efficiency, and
28 accomplishment of objectives; and recommendations for legislative or
29 administrative actions as the department deems appropriate.

30 NEW SECTION. **Sec. 13.** To assist the department in evaluating the
31 impact of the program, animal care and control agencies, humane
32 societies, and other nonprofit organizations that serve as animal
33 shelter for dogs and cats within the state must annually report to the
34 department, in a form and manner required by the department, the number
35 of cats, kittens, dogs, and puppies received and the sources and fates

1 of these animals. However, animal shelters that handle small numbers
2 of cats or dogs, as determined by the department, may not be required
3 to report. The department shall provide guidance to shelters on
4 classifying animals by age, health, and other factors for reporting
5 purposes. Animal shelters that fail to report as required under this
6 section may, at the department's discretion, be disqualified from
7 receiving moneys under this chapter.

8 **Sec. 14.** RCW 18.92.260 and 2002 c 157 s 2 are each amended to read
9 as follows:

10 (1)(a) Subject to the limitations in this section, animal care and
11 control agencies as defined in RCW 16.52.011 and nonprofit humane
12 societies, that have qualified under section 501(c)(3) of the internal
13 revenue code may provide limited veterinary services to animals owned
14 by qualified low-income households. The veterinary services provided
15 shall be limited to electronic identification, surgical sterilization,
16 and vaccinations. A veterinarian or veterinary technician acting
17 within his or her scope of practice must perform the limited veterinary
18 services. For purposes of this section, "low-income household" means
19 the same as in RCW 43.185A.010 and section 4(2)(b) of this act.

20 (b) Animal control agencies and nonprofit humane societies,
21 receiving animals on an emergency basis, may provide emergency care,
22 subject to a local ordinance that defines an emergency situation and
23 establishes temporary time limits.

24 (c) Any local ordinance addressing the needs under this section
25 that was approved by the voters and is in effect on July 1, 2003,
26 remains in effect.

27 (2) Veterinarians and veterinary technicians employed at these
28 facilities must be licensed under this chapter. No officer, director,
29 supervisor, or any other individual associated with an animal care or
30 control agency or nonprofit humane society owning and operating a
31 veterinary medical facility may impose any terms or conditions of
32 employment or direct or attempt to direct an employed veterinarian in
33 any way that interferes with the free exercise of the veterinarian's
34 professional judgment or infringes upon the utilization of his or her
35 professional skills.

36 (3) Veterinarians, veterinary technicians, and animal control
37 agencies and humane societies acting under this section shall, for

1 purposes of providing the limited veterinary services, meet the
2 requirements established under this chapter and are subject to the
3 rules adopted by the veterinary board of governors in the same fashion
4 as any licensed veterinarian or veterinary medical facility in the
5 state.

6 (4) The Washington state veterinary board of governors shall adopt
7 rules to:

8 (a) Establish registration and registration renewal requirements;

9 (b) Govern the purchase and use of drugs for the limited veterinary
10 services authorized under this section; and

11 (c) Ensure that agencies and societies are in compliance with this
12 section.

13 (5) The limited veterinary medical service authority granted by
14 registration under this section may be denied, suspended, revoked, or
15 conditioned by a determination of the board of governors for any act of
16 noncompliance with this chapter. The uniform disciplinary act, chapter
17 18.130 RCW, governs unregistered operation, the issuance and denial of
18 registrations, and the discipline of registrants under this section.

19 (6) No animal control agency or humane society may operate under
20 this chapter without registering with the department. An application
21 for registration shall be made upon forms provided by the department
22 and shall include the information the department reasonably requires,
23 as provided by RCW 43.70.280. The department shall establish
24 registration and renewal fees as provided by RCW 43.70.250. A
25 registration fee shall accompany each application for registration or
26 renewal.

27 NEW SECTION. **Sec. 15.** Sections 1 through 6 and 9 through 13 of
28 this act constitute a new chapter in Title 74 RCW.

29 NEW SECTION. **Sec. 16.** Sections 1 through 6 and 9 through 13 of
30 this act take effect January 1, 2014.

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