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**SENATE BILL 5733**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Warnick, Hatfield, and Hobbs; by request of Department of Agriculture

AN ACT Relating to livestock movement reporting; and adding a new section to chapter 16.57 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 16.57 RCW to read as follows:

(1) The director may establish a livestock movement reporting system where transactions are reported to the department. The system may be used as an alternative to mandatory inspections under RCW 16.57.160.

(2) A person may not electronically report livestock transactions without first obtaining a license from the director. All references to a license and licensee within this section mean the electronic livestock movement reporting license and any person licensed under the provisions of this section. Applicants for a license must submit to the department an application on a form provided by the department and must include an application fee as established by the director in rule.

(3) The licensee must keep accurate records that are made available for inspection by the department upon request and during normal business hours. Records must be kept for seven years accounting for all cattle transactions of the licensed property.

(4) The director may enter a property at any reasonable time to conduct examinations and inspections of cattle and records for movement verification purposes. It is unlawful for any person to interfere with the examination and inspection of cattle and records as provided for in this subsection. If the director is denied access to a property or cattle for purposes of this subsection or a person fails to comply with an order of the director, the director may apply to a court of competent jurisdiction for a search warrant. To show that access is denied, the director must file with the court an affidavit or declaration containing a description of all attempts to notify and locate the owner or owner's agent and secure consent.

(5) The director may deny, suspend, or revoke a license when the director finds that a licensee fails to meet the reporting requirements, knowingly makes false or inaccurate statements, has previously had his or her license revoked, denies entry as provided in subsection (4) of this section, or violates any other provision of this chapter or any rules adopted under this chapter. Any action shall be taken under the provisions of chapter 34.05 RCW, the administrative procedure act. If a license is denied, suspended, or revoked, the mandatory livestock inspection requirements under RCW 16.57.160 apply.

(6) The director may adopt rules:

(a) Designating conditions of licensure and use of the livestock movement reporting system.

(b) Establishing an initial application and license renewal fee and fees to be paid by the licensee for reporting cattle transactions to the livestock movement reporting system. The fees shall, as closely as practicable, cover the cost of the development, maintenance, fee collection, and audit and administrative oversight of the system.

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