
SUBSTITUTE HOUSE BILL 2619

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Romero, Miloscia and Upthegrove)

Read first time 02/07/2002. Referred to Committee on .

1 AN ACT Relating to laying hens; amending RCW 16.52.185; and adding
2 a new section to chapter 16.52 RCW.

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

4 **Sec. 1.** RCW 16.52.185 and 1994 c 261 s 22 are each amended to read
5 as follows:

6 ((~~Nothing in~~)) This chapter ((~~applies~~)) does not apply to accepted
7 husbandry practices used in the commercial raising or slaughtering of
8 livestock or poultry, or products thereof or to the use of animals in
9 the normal and usual course of rodeo events or to the customary use or
10 exhibiting of animals in normal and usual events at fairs as defined in
11 RCW 15.76.120.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 16.52 RCW
13 to read as follows:

14 (1) The definitions in this subsection apply throughout this
15 section unless the context clearly requires otherwise.

16 (a) "Director" means the director of the department of agriculture
17 or the director's representative.

1 (b) "Laying hen" means a female chicken kept for commercial egg
2 production.

3 (2)(a) The director has the authority to conduct inspections, and
4 shall establish a program for conducting inspections, of facilities in
5 which one hundred or more laying hens are kept, for the purpose of
6 determining whether the practices of the owners of the facilities are
7 conforming to accepted husbandry practices in the commercial raising of
8 poultry or poultry products. In making this determination, the
9 director shall consider whether the practice complies with the
10 generally accepted poultry industry standards applicable to laying
11 hens. The director shall develop and maintain a list of facilities to
12 be inspected from information the department of agriculture receives
13 from persons licensed under chapter 69.25 RCW. To the degree
14 practicable, the inspections must be unannounced. Inspections under
15 this section may not be conducted by animal control officers. The
16 inspection program required under this section shall be conducted only
17 to the extent that funds are available within existing funding levels.
18 The director shall coordinate the inspection program under this section
19 with any existing inspection programs currently required under chapter
20 69.25 RCW or any egg production or processing inspections currently
21 required by the federal government.

22 (b) If the director finds evidence of a practice by an owner of a
23 facility where one hundred or more laying hens are kept that is not an
24 accepted husbandry practice as determined under (a) of this subsection,
25 and that violates a provision of this chapter, the director shall
26 record evidence of the violation and report the violation to the
27 prosecuting attorney of the county in which the violation has occurred.
28 This section may not be construed as providing exclusive authority to
29 the director to investigate such a violation of this chapter regarding
30 laying hens.

31 (c) Any practice that the director determines under this section is
32 not an accepted husbandry practice in the commercial raising of poultry
33 or poultry products is not exempted from the provisions of this
34 chapter.

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