
**Rural Development, Agriculture, &
Natural Resources Committee**

HB 2074

Brief Description: Concerning livestock inspection.

Sponsors: Representatives Blake and Chandler; by request of Department of Agriculture.

Brief Summary of Bill

- Allows the use of the electronic cattle transaction reporting system to report change of ownership transactions involving any cattle, rather than only unbranded dairy cattle.
- Removes the requirement that the Washington State Department of Agriculture submit an annual report to the Legislature on inspections of both cattle and electronic cattle transaction reporting license holder records.

Hearing Date: 2/20/19

Staff: Rebecca Lewis (786-7339).

Background:

Livestock Inspection, Generally.

The Washington State Department of Agriculture (WSDA) Animal Health Program (Animal Health Program) is charged with protecting animals and the public from communicable animal diseases. Animal Health Program officials monitor movement of animals across state lines, set requirements for reporting and controlling diseases, and conduct testing and investigations.

Through the Livestock Inspection Program, the WSDA records brands, licenses feedlots and public livestock markets, and conducts surveillance and inspection of livestock at time of sale and upon out-of-state movement. Cattle and horses are inspected for permanent identification, such as brands and ownership documents: at public livestock markets; at United States

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Department of Agriculture slaughter plants; at licensed, certified feedlots; at change of ownership; and prior to leaving the state. The program is funded by fees paid by the livestock industry and does not receive General Fund dollars.

Electronic Cattle Transaction Reporting System.

In 2015 the Legislature authorized the WSDA to establish, by rule, an electronic cattle transaction reporting system to electronically report transactions involving unbranded dairy cattle that are individually identified through a WSDA-authorized identification method to the WSDA. Transactions that may be reported electronically include any sale, trade, gift, barter, or any other transaction that constitutes a change of ownership of unbranded dairy cattle that are individually identified through a WSDA-authorized identification method. The system is an alternative to the mandatory cattle inspections that are implemented pursuant to WSDA rule.

In order to electronically report transactions involving unbranded dairy cattle, a person needs an electronic cattle transaction reporting license issued by the WSDA. Licensees must transmit to the WSDA, within 24 hours of a qualifying transaction, a record of the transaction containing the unique identification of each individual animal as assigned through a WSDA-authorized identification method. Licensees must: keep accurate records of all transactions involving unbranded dairy cattle on the property; make such records available for inspection by the WSDA upon request; and keep such records for at least three years.

The WSDA has the authority to adopt rules that designate conditions of licensure and the use of the electronic cattle transaction reporting system. Additionally, application fees, license renewal fees, and fees to be paid by a licensee for electronically reporting transactions involving unbranded dairy cattle are established in WSDA rule. Any fees must, as closely as practicable, cover the cost of the development, maintenance, fee collection, and audit and administrative oversight of the system.

Washington State Department of Agriculture Inspections of Cattle and Records.

The WSDA may enter a property at any reasonable time to examine and inspect cattle and records for the purposes of verifying cattle's movement. It is unlawful for any person to interfere with the WSDA's examination and inspection of cattle and records. If the WSDA is denied access to a property or cattle for purposes of examining and inspecting cattle or records, the WSDA may apply to a court of competent jurisdiction for a search warrant. If the WSDA applies for a search warrant, the WSDA, in order to demonstrate that access is denied, is required to file a declaration with the court that describes all attempts to notify and locate the owner or owner's agent and secure consent.

By July 1 of each year the WSDA must submit a report to the Legislature documenting all examinations and inspections of cattle and inspections of records of electronic cattle transaction reporting license holders since the last report.

Denied, Suspended, or Revoked Licenses.

The WSDA may deny, suspend, or revoke a license when:

- the WSDA finds that a licensee failed to meet the reporting requirements;

- a licensee knowingly makes false or inaccurate statements;
- a licensee has previously had his or her license revoked;
- a licensee denies the WSDA entry to the licensee's facility for the purpose of examining or inspecting cattle or records; or
- a licensee violates any other provision, law, or rule governing livestock identification.

Any action by the WSDA to deny, suspend, or revoke a license must be taken pursuant to the state Administrative Procedure Act.

Summary of Bill:

The electronic cattle reporting system may be used to report change of ownership transactions for any cattle, rather than only unbranded dairy cattle.

The requirement that the Washington State Department of Agriculture submit an annual report to the Legislature documenting cattle inspections and inspections of electronic cattle transaction reporting license holder records is deleted.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.