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**SUBSTITUTE HOUSE BILL 2457**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Agriculture & Rural Development (originally sponsored by Representatives Chandler, Rayburn, McLean, Rasmussen, Neher, Nealey, Hochstatter, Lisk, Morton, D. Sommers, Kremen, Ballard, Van Luven, Prentice, R. Johnson, Edmondson and Bray)

Read first time 02/07/92.

1 AN ACT Relating to agricultural nuisances; and amending RCW  
2 7.48.305.

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

4 **Sec. 1.** RCW 7.48.305 and 1979 c 122 s 2 are each amended to read  
5 as follows:

6 Notwithstanding any other provision of this chapter, agricultural  
7 activities conducted on farmland, if consistent with good agricultural  
8 practices and established prior to surrounding nonagricultural  
9 activities, are presumed to be reasonable and ~~((do))~~ shall not be  
10 found to constitute a nuisance unless the activity has a substantial  
11 adverse effect on the public health and safety.

12 If that agricultural activity is undertaken in conformity with  
13 federal, state, and local laws and regulations, it is presumed to be  
14 good agricultural practice and not adversely affecting the public

1 health and safety. An agricultural activity that is in conformity with  
2 such laws and rules shall not be restricted by other means as to the  
3 hours of operation during which it may be conducted.

4 Nothing in this section shall affect or impair any right to sue for  
5 damages.