
HOUSE BILL 1946

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Chappell, Brumsickle, Mastin, Grant, Rayburn and Kremen

Read first time 02/17/93. Referred to Committee on Agriculture & Rural Development.

1 AN ACT Relating to clarifying definitions relating to farmers; and
2 amending RCW 15.04.010 and 82.04.330.

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

4 **Sec. 1.** RCW 15.04.010 and 1961 c 11 s 15.04.010 are each amended
5 to read as follows:

6 As used in this title except where otherwise defined:

7 "Department" means the department of agriculture.

8 "Director" means the director of agriculture.

9 "Person" includes any individual, firm, corporation, trust,
10 association, cooperative, copartnership, society, any other
11 organization of individuals, and any other business unit, device, or
12 arrangement.

13 "Agricultural product" means any product of plant cultivation or
14 animal husbandry including, but not limited to: A product of
15 horticulture, grain cultivation, vermiculture, viticulture, or
16 aquaculture as defined in RCW 15.85.020; plantation Christmas trees;
17 turf; or an animal, bird, or insect or the substances obtained from it.

18 "Farmer" means any person engaged in the business of growing or
19 producing, upon the person's own lands or upon the lands in which the

1 person has a present right of possession, any agricultural product
2 whatsoever for sale. "Farmer" does not mean a person selling such
3 products exclusively at retail, a person using such products as
4 ingredients in a manufacturing process, or a person growing or
5 producing such products for the person's own consumption. It does not
6 mean any person dealing in livestock as an operator of a stockyard,
7 slaughter house, or packing house, nor does it mean any person who is
8 an "extractor" within the meaning of RCW 82.04.100.

9 **Sec. 2.** RCW 82.04.330 and 1988 c 253 s 2 are each amended to read
10 as follows:

11 This chapter shall not apply to any ~~((person in respect to the~~
12 ~~business of growing or producing for sale upon the person's own lands~~
13 ~~or upon land in which the person has a present right of possession, any~~
14 ~~agricultural or horticultural produce or crop, or of raising upon the~~
15 ~~person's own lands or upon land in which the person has a present right~~
16 ~~of possession, any plantation Christmas tree or any animal, bird, fish,~~
17 ~~or insect, or the milk, eggs, wool, fur, meat, honey, or other~~
18 ~~substance obtained therefrom, or in respect to the sale of such~~
19 ~~products)) farmer as defined in RCW 15.04.010 that sells any
20 agricultural product as defined in RCW 15.04.010 at wholesale ((by such
21 grower, producer, or raiser thereof)) or retail. This exemption shall
22 not apply to any person selling such products exclusively at retail or
23 using such products as ingredients in a manufacturing process; nor to
24 the sale of any animal or substance obtained therefrom by a person in
25 connection with the person's business of operating a stockyard or a
26 slaughter or packing house; nor to any person in respect to the
27 business of taking, cultivating, or raising timber; nor to any
28 association of persons whatever, whether mutual, cooperative or
29 otherwise, engaging in any business activity with respect to which tax
30 liability is imposed under the provisions of this chapter. ~~((As used~~
31 ~~in this section, "fish" means fish which are cultivated or raised~~
32 ~~entirely within confined rearing areas on the person's own land or on~~
33 ~~land in which the person has a present right of possession.))~~~~

34 This chapter shall also not apply to any persons who participate in
35 the federal conservation reserve program or its successor administered

1 by the United States department of agriculture with respect to land
2 enrolled in that program.

--- END ---