

6107-S

Sponsor(s): Senate Committee on Agriculture (originally sponsored by Senators Rasmussen, Swecker, Eide, Esser, McAuliffe and Shin; by request of Department of Agriculture)

Brief Description: Preventing the spread of animal diseases.

SB 6107-S - DIGEST

(DIGEST AS ENACTED)

Declares that the director may issue a quarantine order and enforce the quarantine of any animal or its reproductive products when any animal or its reproductive products are affected with or have been exposed to disease or when there is reasonable cause to investigate whether any animal or its reproductive products are affected with or have been exposed to disease, either within or outside the state.

Provides that overt disease or exposure to disease in any animal or its reproductive products need not be immediately obvious for a quarantine order to be issued or enforced.

Declares that the director has the authority to enter the animal premises of any animal owner at any reasonable time to conduct tests, examinations, or inspections for disease conditions when there is reasonable cause to investigate whether animals on the premises or that have been on the premises are infected with or have been exposed to a reportable disease.

Provides that, when the director has determined that there is probable cause that there is a serious risk from disease or contamination, the director may seize those items necessary to conduct the tests, inspections, or examinations.

Provides that if the director is denied access to the animal premises or the animals for purposes of conducting tests, inspections, or examinations or the animal owner fails to comply with an order of the director, the director may apply to a court of competent jurisdiction for a search warrant. The warrant may authorize access to any animal or animal premises for purposes of conducting tests, inspections, or examinations of any animal or animal premises, or taking samples, and may authorize seizure or destruction of property. The warrant shall be issued upon probable cause being found by the court.

Declares it is sufficient probable cause to show a potential threat to the agricultural interests of this state or a potential threat which seriously endangers animals, human health, the environment, or public welfare. To show that access is denied, the director shall file with the court an affidavit or declaration containing a description of all attempts to notify and locate the owner or the owner's agent and to secure consent.