
HOUSE BILL 2806

State of Washington

61st Legislature

2010 Regular Session

By Representatives Blake and Chandler

Read first time 01/14/10. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to livestock inspection; amending RCW 16.57.160 and
2 16.36.060; adding a new section to chapter 16.57 RCW; and adding a new
3 section to chapter 16.36 RCW.

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

5 **Sec. 1.** RCW 16.57.160 and 2006 c 156 s 3 are each amended to read
6 as follows:

7 The director may adopt rules:

8 (1) Designating any point for mandatory inspection of cattle or
9 horses or the furnishing of proof that cattle or horses passing or
10 being transported through the point have been inspected or identified
11 and are lawfully being transported;

12 ~~(2) ((Providing for self inspection of twenty five head or less of
13 cattle;~~

14 ~~(3))~~ Providing for issuance of individual horse and cattle
15 identification certificates or other means of horse and cattle
16 identification; and

17 ~~((4))~~ (3) Designating the documents that constitute other
18 satisfactory proof of ownership for cattle and horses. ~~((A bill of~~

1 ~~sale may not be designated as documenting satisfactory proof of~~
2 ~~ownership for cattle.))~~

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 16.57 RCW
4 to read as follows:

5 The director may charge a fee of twenty-five dollars for
6 replacement copies of official brand inspection documents. The
7 director may increase by rule the fee established in this section. The
8 director may adopt rules governing issuing replacement official brand
9 inspection documents.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 16.36 RCW
11 to read as follows:

12 (1) A person may not bring an animal into this state without first
13 having secured an official health certificate or certificate of
14 veterinary inspection, reviewed by the state veterinarian of the state
15 of origin, that the animal meets the health requirements of the state
16 of Washington. The director may exempt animals from this requirement
17 by rule.

18 (2) Livestock imported into this state that are destined for
19 immediate slaughter at a federally inspected slaughter facility where
20 federal disease control standards are applied may enter this state
21 without an official health certificate or certificate of veterinary
22 inspection. The livestock must be delivered within twelve hours after
23 entry to an approved, inspected feed lot for subsequent slaughter or to
24 a federally inspected slaughter establishment. A person may not: (a)
25 Divert the livestock en route to other than to an approved, inspected
26 feed lot for subsequent slaughter; (b) sell the livestock for any
27 purpose other than immediate slaughter; (c) fail to slaughter the
28 livestock or deliver the livestock to a slaughter establishment or
29 approved, inspected feed lot within twelve hours after entry; or (d)
30 for livestock for sale for immediate slaughter, fail to deliver the
31 livestock within twelve hours to a licensed public livestock market or
32 fail to deliver the livestock to a slaughter establishment or approved,
33 inspected feed lot within twelve hours after leaving the licensed
34 public livestock market.

35 (3) The director has the authority to monitor any livestock
36 entering the state without an official health certificate or

1 certificate of veterinary inspection. The director also has the
2 authority to monitor any livestock entering the state under a permit
3 requiring the livestock to be delivered to a federally inspected
4 slaughter establishment, or to an approved, inspected feed lot for
5 subsequent slaughter, or to another stated destination. Persons
6 importing, transporting, receiving, feeding, or housing such livestock
7 shall make the livestock and related records available for inspection
8 by the director.

9 (4) The department shall charge a time and mileage fee for
10 inspection of livestock and records during an investigation of
11 violations of this section. For purposes of this section, the time and
12 mileage fee is eighty-five dollars per hour and the current mileage
13 rate set by the office of financial management. The director may
14 increase by rule the initial fees established in this section as
15 necessary to cover costs of the investigations. All fees collected
16 under this section shall be deposited in an account in the agricultural
17 local fund and used to carry out the purposes of this chapter.

18 (5) The director may adopt and enforce rules necessary to carry out
19 the purpose and provisions of this section.

20 **Sec. 4.** RCW 16.36.060 and 2004 c 251 s 2 are each amended to read
21 as follows:

22 (1) The director has the authority to enter ~~((the animal premises~~
23 ~~of any animal owner))~~ a property at any reasonable time to conduct
24 tests, examinations, or inspections ~~((for disease conditions)), to take~~
25 samples, and to examine and copy records when there is reasonable cause
26 to investigate whether animals on the ~~((premises))~~ property or that
27 have been on the ~~((premises))~~ property are infected with or have been
28 exposed to ~~((a reportable))~~ disease. It is unlawful for any person to
29 interfere with the tests, inspections, or examinations, or to alter any
30 segregation or identification systems made in connection with the
31 tests, inspections, or examinations. ~~((When the director has~~
32 ~~determined that there is probable cause that there is a serious risk~~
33 ~~from disease or contamination, the director may seize those items~~
34 ~~necessary to conduct the tests, inspections, or examinations.))~~

35 (2) The director has the authority to enter a property at any
36 reasonable time to investigate: (a) Whether livestock on the property
37 have been imported into this state in violation of import requirements

1 of this chapter or rules adopted under this chapter or are in violation
2 of the conditions of an import permit; or (b) whether livestock on the
3 property have been imported without an official health certificate or
4 certificate of veterinary inspection and are destined for immediate
5 slaughter at a federally inspected slaughter facility or destined for
6 an approved, inspected feed lot for subsequent slaughter. In the
7 course of such an investigation, the director may conduct tests,
8 examinations, and inspections, take samples, and examine and copy
9 records. It is unlawful for any person to interfere with the tests,
10 inspections, or examinations, or to alter any segregation or
11 identification systems made in connection with the tests, inspections,
12 or examinations.

13 (3) If the director is denied access to ((the animal premises)) a
14 property or ((the)) animals for the purposes ((of conducting tests,
15 inspections, or examinations or the animal owner)) of this chapter or
16 a person fails to comply with an order of the director, the director
17 may apply to a court of competent jurisdiction for a search warrant.
18 The warrant may authorize access to any animal or ((animal premises))
19 property at reasonable times for purposes of conducting tests,
20 inspections, or examinations of any animal or ((animal premises, or))
21 property, examination and copying of records, and taking samples, and
22 may authorize seizure or destruction of property. ((The warrant shall
23 be issued upon probable cause being found by the court. It is
24 sufficient probable cause to show a potential threat to the
25 agricultural interests of this state or a potential threat which
26 seriously endangers animals, human health, the environment, or public
27 welfare.)) The court may upon such application, issue the search
28 warrant for the purposes requested. To show that access is denied, the
29 director shall file with the court an affidavit or declaration
30 containing a description of all attempts to notify and locate the owner
31 or the owner's agent and to secure consent.

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