CERTIFICATION OF ENROLLMENT

SENATE BILL 5974

Chapter 347, Laws of 2009

61st Legislature
2009 Regular Session

NONAMBULATORY LIVESTOCK--TRANSPORTATION OR ACCEPTANCE

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 21, 2009
    YEAS 45   NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 8, 2009
    YEAS 96   NAYS 2

FRANK CHOPP

Speaker of the House of Representatives

Approved May 5, 2009, 2:33 p.m.

CERTIFICATE

I, Thomas Hoemann, Secretary of
the Senate of the State of
Washington, do hereby certify that
the attached is **SENATE BILL 5974**
as passed by the Senate and the
House of Representatives on the
dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 8, 2009

CHRISTINE GREGOIRE

Governor of the State of Washington

Secretary of State
State of Washington

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

State of Washington   61st Legislature   2009 Regular Session

By Senators Morton, Hatfield, Swecker, Marr, and Shin

Read first time 02/11/09. Referred to Committee on Agriculture & Rural Economic Development.

1   AN ACT Relating to transporting or accepting delivery of live
2 nonambulatory livestock; amending RCW 16.36.116 and 16.52.225; and
3 prescribing penalties.

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

5   **Sec. 1.** RCW 16.36.116 and 2007 c 71 s 3 are each amended to read
6 as follows:
7   (1) Any person found transporting animals on the public roads of
8 this state that are not accompanied by valid health certificates,
9 permits, or other documents as required by this chapter or its rules
10 has committed a class 1 civil infraction.
11   (2) Any person who knowingly transports or accepts delivery of live
12 nonambulatory livestock to, from, or between any livestock market,
13 feedlot, slaughtering facility, or similar facility that trades in
14 livestock has committed a civil infraction and shall be assessed a
15 monetary penalty not to exceed one thousand dollars. The transport or
16 acceptance of each nonambulatory livestock animal is considered a
17 separate and distinct violation. Livestock that was ambulatory prior
18 to transport to a feedlot and becomes nonambulatory because of an
19 injury sustained during transport may be unloaded and placed in a

1 separate pen for rehabilitation at the feedlot. For the purposes of
2 this section, "nonambulatory livestock" has the same meaning as in RCW
3 16.52.225.

4   (3) The director is authorized to issue notices of and enforce
5 civil infractions in the manner prescribed under chapter 7.80 RCW.

6   **Sec. 2.** RCW 16.52.225 and 2004 c 234 s 1 are each amended to read
7 as follows:
8   (1) Unless otherwise cited for a civil infraction by the department
9 of agriculture under RCW 16.36.116(2), a person is guilty of a gross
10 misdemeanor punishable as provided in RCW 9A.20.021 if he or she
11 knowingly transports or accepts delivery of live nonambulatory
12 livestock to, from, or between any livestock market, feedlot,
13 slaughtering facility, or similar facility that trades in livestock.
14 The transport or acceptance of each nonambulatory livestock animal is
15 considered a separate and distinct violation.
16   (2) Nonambulatory livestock must be humanely euthanized before
17 transport to, from, or between locations listed in subsection (1) of
18 this section.
19   (3) Livestock that was ambulatory prior to transport to a feedlot
20 and becomes nonambulatory because of an injury sustained during
21 transport may be unloaded and placed in a separate pen for
22 rehabilitation at the feedlot.
23   (4) For the purposes of this section, "nonambulatory livestock"
24 means cattle, sheep, swine, goats, horses, mules, or other equine that
25 cannot rise from a recumbent position or cannot walk, including but not
26 limited to those with broken appendages, severed tendons or ligaments,
27 nerve paralysis, a fractured vertebral column, or metabolic conditions.

Passed by the Senate April 21, 2009.
Passed by the House April 8, 2009.
Approved by the Governor May 5, 2009.
Filed in Office of Secretary of State May 8, 2009.