
SENATE BILL 5733

State of Washington

64th Legislature

2015 Regular Session

By Senators Warnick, Hatfield, and Hobbs; by request of Department of Agriculture

Read first time 01/30/15. Referred to Committee on Agriculture, Water & Rural Economic Development.

1 AN ACT Relating to livestock movement reporting; and adding a new
2 section to chapter 16.57 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 16.57
5 RCW to read as follows:

6 (1) The director may establish a livestock movement reporting
7 system where transactions are reported to the department. The system
8 may be used as an alternative to mandatory inspections under RCW
9 16.57.160.

10 (2) A person may not electronically report livestock transactions
11 without first obtaining a license from the director. All references
12 to a license and licensee within this section mean the electronic
13 livestock movement reporting license and any person licensed under
14 the provisions of this section. Applicants for a license must submit
15 to the department an application on a form provided by the department
16 and must include an application fee as established by the director in
17 rule.

18 (3) The licensee must keep accurate records that are made
19 available for inspection by the department upon request and during
20 normal business hours. Records must be kept for seven years
21 accounting for all cattle transactions of the licensed property.

1 (4) The director may enter a property at any reasonable time to
2 conduct examinations and inspections of cattle and records for
3 movement verification purposes. It is unlawful for any person to
4 interfere with the examination and inspection of cattle and records
5 as provided for in this subsection. If the director is denied access
6 to a property or cattle for purposes of this subsection or a person
7 fails to comply with an order of the director, the director may apply
8 to a court of competent jurisdiction for a search warrant. To show
9 that access is denied, the director must file with the court an
10 affidavit or declaration containing a description of all attempts to
11 notify and locate the owner or owner's agent and secure consent.

12 (5) The director may deny, suspend, or revoke a license when the
13 director finds that a licensee fails to meet the reporting
14 requirements, knowingly makes false or inaccurate statements, has
15 previously had his or her license revoked, denies entry as provided
16 in subsection (4) of this section, or violates any other provision of
17 this chapter or any rules adopted under this chapter. Any action
18 shall be taken under the provisions of chapter 34.05 RCW, the
19 administrative procedure act. If a license is denied, suspended, or
20 revoked, the mandatory livestock inspection requirements under RCW
21 16.57.160 apply.

22 (6) The director may adopt rules:

23 (a) Designating conditions of licensure and use of the livestock
24 movement reporting system.

25 (b) Establishing an initial application and license renewal fee
26 and fees to be paid by the licensee for reporting cattle transactions
27 to the livestock movement reporting system. The fees shall, as
28 closely as practicable, cover the cost of the development,
29 maintenance, fee collection, and audit and administrative oversight
30 of the system.

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