

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5306**

Chapter 89, Laws of 2017

65th Legislature  
2017 Regular Session

SECONDARY FISH RECEIVERS--RECORDS--REPORTING

EFFECTIVE DATE: 7/23/2017

Passed by the Senate February 23, 2017  
Yeas 49 Nays 0

CYRUS HABIB

**President of the Senate**

Passed by the House April 6, 2017  
Yeas 96 Nays 1

FRANK CHOPP

**Speaker of the House of Representatives**

Approved April 20, 2017 10:55 AM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5306** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

**Secretary**

FILED

April 20, 2017

**Secretary of State  
State of Washington**

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SENATE BILL 5306

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Passed Legislature - 2017 Regular Session

State of Washington

65th Legislature

2017 Regular Session

By Senators Rolfes and Takko

Read first time 01/19/17. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to secondary commercial fish receivers; and  
2 amending RCW 77.15.568.

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

4 **Sec. 1.** RCW 77.15.568 and 2016 1st sp.s. c 21 s 1 are each  
5 amended to read as follows:

6 (1) A person is guilty of a secondary commercial fish receiver's  
7 failure to account for commercial harvest if:

8 (a) The person sells fish or shellfish at retail, stores ~~((or))~~,  
9 holds, or processes fish or shellfish ~~((for another))~~ in exchange for  
10 valuable consideration, or brokers or ships fish or shellfish in  
11 exchange for valuable consideration ~~((, or brokers fish or shellfish~~  
12 ~~in exchange for valuable consideration))~~;

13 (b)(i) The fish or shellfish were required to be entered on a  
14 Washington fish-receiving ticket or a Washington aquatic farm  
15 production annual report; ~~((and))~~ or

16 (ii) The fish or shellfish are classified as fish or shellfish by  
17 the department; and

18 (c) The person fails to maintain records of each receipt of fish  
19 or shellfish, as required under subsections (3) through (5) of this  
20 section, at:

1 (i) The location where the fish or shellfish are being sold or at  
2 the location where the fish or shellfish are being stored or held; or  
3 (ii) The principal place of business of the shipper or broker if  
4 the fish or shellfish are not in possession.

5 (2) (~~This section applies to a wholesale fish dealer acting in~~  
6 ~~the capacity of a broker. However, this section does not apply to a~~  
7 ~~wholesale fish dealer acting in the capacity of a wholesale fish~~  
8 ~~dealer, to a fisher selling under a direct retail sale endorsement,~~  
9 ~~or to a registered aquatic farmer)) Wholesale fish buyers, limited  
10 fish sellers, and registered aquatic farmers are not required to  
11 comply with this section for fish or shellfish documented on fish  
12 tickets or aquatic farm production reports.~~

13 (3) Records of the receipt of fish or shellfish required to be  
14 kept under this section must be in the English language and be  
15 maintained for three years from the date fish or shellfish are  
16 received, shipped, or brokered.

17 (4) Records maintained by persons that retail or broker fish or  
18 shellfish, or that store, hold, or ship fish or shellfish for others  
19 must include the following:

20 (a) The name, address, and phone number of the (~~wholesale fish~~  
21 ~~dealer, fisher selling under a direct retail sale endorsement, or~~  
22 ~~aquatic farmer or shellstock shipper)) person from whom the fish or  
23 shellfish were purchased or received;~~

24 (b) (~~The Washington fish receiving ticket number documenting~~  
25 ~~original receipt or aquatic farm production quarterly report~~  
26 ~~documenting production, if available;~~

27 ~~(c))~~ The date of purchase or receipt;

28 (c) The state or country of origin if received from interstate or  
29 foreign commerce; and

30 (d) The amount and species of fish or shellfish purchased or  
31 received.

32 (5) (~~Records maintained by persons that store, hold, or ship~~  
33 ~~fish or shellfish for others must state the following:~~

34 ~~(a) The name, address, and phone number of the person and~~  
35 ~~business from whom the fish or shellfish were received;~~

36 ~~(b) The date of receipt; and~~

37 ~~(c) The amount and species of fish or shellfish received.~~

38 ~~(6))~~ A secondary commercial fish receiver's failure to account  
39 for commercial harvest is a misdemeanor.

Passed by the Senate February 23, 2017.  
Passed by the House April 6, 2017.  
Approved by the Governor April 20, 2017.  
Filed in Office of Secretary of State April 20, 2017.

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