

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2147

Chapter 228, Laws of 2024

68th Legislature
2024 Regular Session

AGRICULTURE PEST AND DISEASE RESPONSE—VARIOUS PROVISIONS

EFFECTIVE DATE: June 6, 2024

Passed by the House February 12, 2024
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 6, 2024
Yeas 47 Nays 0

DENNY HECK

President of the Senate

Approved March 25, 2024 1:43 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2147** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 26, 2024

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2147

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By House Appropriations (originally sponsored by Representatives Dent, Chapman, Schmick, and Reeves; by request of Department of Agriculture)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to agriculture pest and disease response;
2 amending RCW 17.24.171; adding a new section to chapter 43.23 RCW;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that Washington
6 agriculture is complex and highly diverse, producing more than 300
7 agricultural commodities on over 35,900 farms. Agricultural
8 production in Washington is highly valued, generating \$12,800,000,000
9 per year in production value, not including over \$17,000,000,000 in
10 food and agricultural products that pass through Washington's ports
11 annually.

12 (2) The legislature also finds that the Washington state
13 department of agriculture's statutory duties include monitoring and
14 responding to new, emerging, and transboundary plant and animal pests
15 and diseases. Pest and disease challenges, to the state's food
16 systems, public health, and the environment, have increased in
17 frequency and severity due to changing climate patterns and global
18 trade flows.

19 (3) In order to better protect Washington's food and agricultural
20 economy, public health, and the environment, the legislature intends
21 to provide more reliable and readily available funding to prevent,

1 quickly detect, and rapidly respond to emerging threats from
2 agricultural pests and diseases.

3 NEW SECTION. **Sec. 2.** (1) The agricultural pest and disease
4 response account is created in the state treasury. All receipts from
5 moneys appropriated to the account by the legislature or moneys
6 directed to the account from any other lawful source, for the purpose
7 of funding emerging agricultural pest and disease response
8 activities, must be deposited into the account. Moneys in the account
9 may be spent only after appropriation.

10 (2) Following a declaration of emergency under RCW 17.24.171 or
11 issuance of a quarantine order under RCW 16.36.010 or 17.24.041,
12 expenditures from the account may be used only for activities
13 necessary to respond to emerging agricultural pest and disease
14 threats in order to protect the food and agricultural economy of the
15 state, the public health of the state, or the environment of the
16 state including, but not limited to, actions authorized under this
17 chapter and chapters 15.08, 16.36, 16.38, and 17.24 RCW.

18 (3) By October 1st following any fiscal year in which
19 expenditures were made from the account, the department must provide
20 the director of the office of financial management with a close-out
21 cost summary of expenditures authorized for that fiscal year.

22 **Sec. 3.** RCW 17.24.171 and 2003 c 314 s 6 are each amended to
23 read as follows:

24 (1) If the director determines that there exists an imminent
25 danger of an infestation of plant pests or plant diseases that
26 seriously endangers the agricultural or horticultural industries of
27 the state, or that seriously threatens life, health, economic well-
28 being, or the environment, the director shall request the governor to
29 order emergency measures to control the pests or plant diseases under
30 RCW 43.06.010(13). The director's findings shall contain an
31 evaluation of the affect of the emergency measures on public health.

32 (2) If an emergency is declared pursuant to RCW 43.06.010(13),
33 the director may appoint a committee to advise the governor through
34 the director and to review emergency measures necessary under the
35 authority of RCW 43.06.010(13) and this section and make subsequent
36 recommendations to the governor. (~~The committee shall include~~
37 ~~representatives of the agricultural industries, state and local~~
38 ~~government, public health interests, technical service providers, and~~

1 ~~environmental organizations.))~~ Invitations to participate on the
2 committee must include representatives of the affected agricultural
3 industries, state and local government, federally recognized tribes,
4 public health interests, technical service providers, and
5 environmental organizations.

6 (3) Upon the order of the governor of the use of emergency
7 measures, the director is authorized to implement the emergency
8 measures to prevent, control, or eradicate plant pests or plant
9 diseases that are the subject of the emergency order. Such measures,
10 after thorough evaluation of all other alternatives, may include the
11 aerial application of pesticides.

12 (4) Upon the order of the governor of the use of emergency
13 measures, the director is authorized to enter into agreements with
14 individuals, companies, or agencies, to accomplish the prevention,
15 control, or eradication of plant pests or plant diseases,
16 notwithstanding the provisions of chapter 15.58 or 17.21 RCW, or any
17 other statute.

18 (5) The director shall continually evaluate the emergency
19 measures taken and report to the governor at intervals of not less
20 than (~~ten~~) 60 days. The director shall immediately advise the
21 governor if he or she finds that the emergency no longer exists or if
22 certain emergency measures should be discontinued.

23 NEW SECTION. Sec. 4. Section 2 of this act is added to chapter
24 43.23 RCW.

Passed by the House February 12, 2024.
Passed by the Senate March 6, 2024.
Approved by the Governor March 25, 2024.
Filed in Office of Secretary of State March 26, 2024.

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