
HOUSE BILL 2737

State of Washington

69th Legislature

2026 Regular Session

By Representatives Bernbaum, Couture, and Griffey

Read first time 02/13/26. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to commercial shellfish fees; amending RCW
2 43.70.250; reenacting and amending RCW 69.30.010; adding a new
3 section to chapter 69.30 RCW; creating a new section; and declaring
4 an emergency.

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

6 **Sec. 1.** RCW 43.70.250 and 2025 c 360 s 15 are each amended to
7 read as follows:

8 (1) ~~((†))~~ (a) Except as provided in (b) of this subsection, it
9 shall be the policy of the state of Washington that the cost of each
10 professional, occupational, or business licensing program be fully
11 borne by the members of that profession, occupation, or business.

12 (b) Fees and surcharges established under chapter 69.30 RCW are
13 exempt from this requirement.

14 (2) The secretary shall from time to time establish the amount of
15 all application fees, license fees, registration fees, examination
16 fees, permit fees, renewal fees, and any other fee associated with
17 licensing or regulation of professions, occupations, or businesses
18 administered by the department. Any and all fees or assessments, or
19 both, levied on the state to cover the costs of the operations and
20 activities of the interstate health professions licensure compacts
21 with participating authorities listed under chapter 18.130 RCW shall

1 be borne by the persons who hold licenses issued pursuant to the
2 authority and procedures established under the compacts. In fixing
3 said fees, the secretary shall set the fees for each program at a
4 sufficient level to defray the costs of administering that program
5 and the cost of regulating licensed volunteer medical workers in
6 accordance with RCW 18.130.360, except as provided in RCW 18.79.202
7 and in section 2 of this act. In no case may the secretary impose any
8 certification, examination, or renewal fee upon a person seeking
9 certification as a certified peer support specialist trainee under
10 chapter 18.420 RCW or, between July 1, 2025, and July 1, 2030, impose
11 a certification, examination, or renewal fee of more than \$100 upon
12 any person seeking certification as a certified peer support
13 specialist under chapter 18.420 RCW. Subject to amounts appropriated
14 for this specific purpose, between July 1, 2024, and July 1, 2029,
15 the secretary may not impose any certification or certification
16 renewal fee on a person seeking certification as a substance use
17 disorder professional or substance use disorder professional trainee
18 under chapter 18.205 RCW of more than \$100.

19 (3) All such fees shall be fixed by rule adopted by the secretary
20 in accordance with the provisions of the administrative procedure
21 act, chapter 34.05 RCW.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 69.30
23 RCW to read as follows:

24 (1) Annual shellfish operation license fees established under
25 this chapter shall be as follows:

26 (a) The fee for a harvester may not exceed \$416;

27 (b) The fee for a zero to 49 acre shellstock shipper may not
28 exceed \$469;

29 (c) The fee for a wholesale shellstock shipper may not exceed
30 \$469;

31 (d) The fee for a more than 50 acre shellstock shipper may not
32 exceed \$752;

33 (e) The fee for a shucker-packer with a plant of less than 2,000
34 square feet of floor space may not exceed \$856;

35 (f) The fee for a shucker-packer with a plant of between 2,000
36 and 5,000 square feet of floor space may not exceed \$1,036; and

37 (g) The fee for a shucker-packer with a plant of more than 5,000
38 square feet of floor space may not exceed \$1,912.

1 (2) Biotoxin testing fees established under this chapter for
2 companies harvesting species other than geoduck intertidally shall be
3 as follows:

4 (a) The fee for a harvester with two or less harvest sites may
5 not exceed \$484;

6 (b) The fee for a harvester with three or more harvest sites may
7 not exceed \$733;

8 (c) The fee for a shellstock shipper between zero and 49 acres
9 with two or less harvest sites may not exceed \$538;

10 (d) The fee for a shellstock shipper between zero and 49 acres
11 with three or more harvest sites may not exceed \$836;

12 (e) The fee for a shellstock shipper of more than 50 acres may
13 not exceed \$1,317;

14 (f) The fee for a wholesale shellstock shipper may not exceed
15 \$271;

16 (g) The fee for a shucker-packer with a plant of less than 2,000
17 square feet of floor space and two or less harvest sites may not
18 exceed \$1,030;

19 (h) The fee for a shucker-packer with a plant of less than 2,000
20 square feet of floor space and three or more harvest sites may not
21 exceed \$1,474;

22 (i) The fee for a shucker-packer with a plant of between 2,000
23 and 5,000 square feet of floor space and two or less harvest sites
24 may not exceed \$1,208;

25 (j) The fee for a shucker-packer with a plant of between 2,000
26 and 5,000 square feet of floor space and three or more harvest sites
27 may not exceed \$1,777; and

28 (k) The fee for a shucker-packer with a plant of more than 5,000
29 square feet of floor space may not exceed \$3,304.

30 (3) The fee for an export certificate may not exceed \$75.

31 **Sec. 3.** RCW 69.30.010 and 2011 c 194 s 1 are each reenacted and
32 amended to read as follows:

33 The definitions in this section apply throughout this chapter
34 unless the context clearly requires otherwise.

35 (1) "Approved shellfish tag or label" means a tag or label
36 meeting the requirements of the national shellfish sanitation program
37 model ordinance.

38 (2) "Commercial quantity" means any quantity exceeding: (a) Forty
39 pounds of mussels; (b) one hundred oysters; (c) fourteen horse clams;

1 (d) six geoducks; (e) fifty pounds of hard or soft shell clams; or
2 (f) fifty pounds of scallops. The poundage in this subsection (2)
3 constitutes weight with the shell.

4 (3) "Department" means the state department of health.

5 (4) "Establishment" means the buildings, together with the
6 necessary equipment and appurtenances, used for the storage, culling,
7 shucking, packing and/or shipping of shellfish in commercial quantity
8 or for sale for human consumption.

9 (5) "Ex officio fish and wildlife officer" means an ex officio
10 fish and wildlife officer as defined in RCW 77.08.010.

11 (6) "Export certificate" means a certificate issued by the
12 department to a licensed shucker-packer or shellstock shipper for use
13 in the foreign export of a lot or shipment of shellfish.

14 (7) "Fish and wildlife officer" means a fish and wildlife officer
15 as defined in RCW 77.08.010.

16 (~~(7)~~) (8) "Harvester" means a shellfish operation with
17 activities limited to growing shellstock, placing shellstock in a
18 container, harvesting shellstock, transporting shellstock using
19 proper transportation conveyances within Washington state, and
20 delivering shellstock to a shellfish dealer licensed by the
21 department within four hours of landing it. A harvester does not
22 process shellfish, ship shellfish outside of Washington state, sell
23 shellfish outside of Washington state, sell shellfish to retail
24 outlets, shuck shellfish, repack shellfish, or store shellfish in any
25 location outside of the approved growing area from where the
26 shellfish is harvested.

27 (9) "Harvest site" means an area of intertidal or subtidal
28 property within a commercial shellfish growing area, that is
29 described by a unique county parcel number, department of fish and
30 wildlife tract number, department of fish and wildlife catch area
31 number, tribal identification number, or other government
32 identification.

33 (10) "Person" means any individual, partnership, firm, company,
34 corporation, association, or the authorized agents of any such
35 entities.

36 (~~(8)~~) (11) "Sale" means to sell, offer for sale, barter, trade,
37 deliver, consign, hold for sale, consignment, barter, trade, or
38 delivery, and/or possess with intent to sell or dispose of in any
39 commercial manner.

1 ~~((9))~~ (12) "Secretary" means the secretary of health or his or
2 her authorized representatives.

3 ~~((10))~~ (13) "Shellfish" means all varieties of fresh and frozen
4 oysters, mussels, clams, and scallops, either shucked or in the
5 shell, and any fresh or frozen edible products thereof.

6 ~~((11))~~ (14) "Shellfish growing areas" means the lands and
7 waters in and upon which shellfish are grown for harvesting in
8 commercial quantity or for sale for human consumption.

9 ~~((12))~~ (15) "Shellstock" means live molluscan shellfish in the
10 shell.

11 (16) "Shellstock shipper" means a shellfish operation that does
12 not shuck shellfish or repack shucked shellfish.

13 (17) "Shucker-packer" means a shellfish operation that may shuck
14 and pack shellfish.

15 (18) "Wholesale shellstock shipper" means dealers who perform no
16 harvesting, have no harvest sites, and are limited to purchasing and
17 reshipping shellfish.

18 NEW SECTION. **Sec. 4.** Section 2 of this act applies
19 retroactively to all fees and surcharges established under chapter
20 69.30 RCW on or after February 1, 2026.

21 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of
23 the state government and its existing public institutions, and takes
24 effect immediately.

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