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HOUSE BILL 2619

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State of Washington                      57th Legislature                      2002 Regular Session

By Representatives Romero, Miloscia and Upthegrove

Read first time . Referred to Committee on .

1            AN ACT Relating to laying hens; amending RCW 16.52.185; and adding  
2 a new section to chapter 16.52 RCW.

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

4            **Sec. 1.** RCW 16.52.185 and 1994 c 261 s 22 are each amended to read  
5 as follows:

6            (~~Nothing in~~) This chapter (~~applies~~) does not apply to accepted  
7 husbandry practices used in the commercial raising or slaughtering of  
8 livestock or poultry, or products thereof or to the use of animals in  
9 the normal and usual course of rodeo events or to the customary use or  
10 exhibiting of animals in normal and usual events at fairs as defined in  
11 RCW 15.76.120.

12            NEW SECTION. **Sec. 2.** A new section is added to chapter 16.52 RCW  
13 to read as follows:

14            (1) The definitions in this subsection apply throughout this  
15 section unless the context clearly requires otherwise.

16            (a) "At any one time" means that the carcasses of three or more  
17 laying hens constituting three or more percent of the laying hens in a

1 facility are present at the time an inspection of the facility is  
2 conducted.

3 (b) "Director" means the director of the department of agriculture  
4 or the director's representative.

5 (c) "Laying hen" means a female chicken kept for commercial egg  
6 production.

7 (2) An action that causes the death, at any one time, of three or  
8 more laying hens that constitute three or more percent of the laying  
9 hens in a facility is not an accepted husbandry practice used in the  
10 commercial raising of poultry or products thereof and is not exempted  
11 from this chapter. The director shall establish a program for  
12 conducting inspections of facilities in which one hundred or more  
13 laying hens are kept and has the authority to conduct the inspections.  
14 The director shall develop and maintain a list of facilities to be  
15 inspected from information the department of agriculture receives from  
16 persons licensed under chapter 69.25 RCW. The director shall conduct  
17 inspections under the program designed to identify instances in which,  
18 in the opinion of the director, a violation or violations of this  
19 chapter have caused the death of three percent or more of the laying  
20 hens in such a facility at any one time. To the degree practicable,  
21 the inspections must be unannounced. If the director finds evidence of  
22 such an excessive mortality rate as a result of one or more violations  
23 of this chapter, he or she shall record evidence of the violations and  
24 report the violations to the prosecuting attorney of the county in  
25 which the violation has occurred. This section may not be construed as  
26 providing exclusive authority to the director to investigate such a  
27 violation of this chapter regarding laying hens.

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