
SENATE BILL 6769

State of Washington 57th Legislature

2002 Regular Session

By Senators Honeyford, Prentice and Rasmussen

Read first time 02/01/2002. Referred to Committee on Labor, Commerce & Financial Institutions.

1 AN ACT Relating to shepherd housing; amending RCW 70.114A.020;
2 and adding a new section to chapter 49.17 RCW.

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

4 **Sec. 1.** RCW 70.114A.020 and 1999 c 374 s 6 are each amended to
5 read as follows:

6 The definitions in this section apply throughout this chapter.

7 (1) "Agricultural employee" means any person who renders personal
8 services to, or under the direction of, an agricultural employer in
9 connection with the employer's agricultural activity.

10 (2) "Agricultural employer" means any person engaged in
11 agricultural activity, including the growing, producing, or harvesting
12 of farm or nursery products, or engaged in the forestation or
13 reforestation of lands, which includes but is not limited to the
14 planting, transplanting, tubing, precommercial thinning, and thinning
15 of trees and seedlings, the clearing, piling, and disposal of brush and
16 slash, the harvest of Christmas trees, and other related activities.
17 The term "agricultural employer" does not include persons engaged in
18 the business of shepherding.

19 (3) "Department" means the department of health.

1 (4) "Dwelling unit" means a shelter, building, or portion of a
2 building, that may include cooking and eating facilities, that is:

3 (a) Provided and designated by the operator as either a sleeping
4 area, living area, or both, for occupants; and

5 (b) Physically separated from other sleeping and common-use areas.

6 (5) "Enforcement" and "enforcement actions" include the authority
7 to levy and collect fines.

8 (6) "Facility" means a sleeping place, drinking water, toilet,
9 sewage disposal, food handling installation, or other installations
10 required for compliance with this chapter.

11 (7) "Occupant" means a temporary worker or a person who resides
12 with a temporary worker at the housing site.

13 (8) "Operator" means a person holding legal title to the land on
14 which temporary worker housing is located. However, if the legal title
15 and the right to possession are in different persons, "operator" means
16 a person having the lawful control or supervision over the temporary
17 worker housing under a lease or other arrangement.

18 (9) "Temporary worker" means an agricultural employee employed
19 intermittently and not residing year-round at the same site.

20 (10) "Temporary worker housing" means a place, area, or piece of
21 land where sleeping places or housing sites are provided by an
22 agricultural employer for his or her agricultural employees or by
23 another person, including a temporary worker housing operator, who is
24 providing such accommodations for employees, for temporary, seasonal
25 occupancy.

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17 RCW
27 to read as follows:

28 The department must enforce minimum federal occupational safety and
29 health act standards for shepherd housing in the same manner as
30 those standards are enforced by the federal government.

--- END ---