

---

HOUSE BILL 2674

---

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Haigh, Hurst, and Dahlquist

Read first time 01/24/12. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to animal care standards; and adding a new chapter  
2 to Title 16 RCW.

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

4 NEW SECTION. **Sec. 1.** The definitions in this section apply  
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Applicable local authority" means either a local law  
7 enforcement professional or an entity designated by a local government  
8 to investigate violations of this chapter or other animal care issues.

9 (2) "Board" means the livestock care standards board created in  
10 section 2 of this act.

11 (3) "Custody" means a person has immediate charge and control of  
12 animal, not necessarily ownership, with implicit responsibility for the  
13 protection and care of the animal.

14 (4) "Department" means the department of agriculture.

15 (5) "Director" means the director of the department of agriculture.

16 (6) "Livestock" has the same definition as in RCW 16.57.010.

17 (7) "Person responsible for the caring for livestock or poultry"  
18 means any person with custody of the livestock or poultry.

19 (8) "Poultry" means farm-raised birds, such as:

- 1 (a) Chickens;
- 2 (b) Turkeys;
- 3 (c) Ducks;
- 4 (d) Geese; and
- 5 (e) Guinea fowl.
- 6 (9) "Production method" means how the animals are raised.
- 7 (10) "Shelter" means any man-made structure or natural feature that
- 8 provides protection from the elements, such as a barn, shed, or lean-
- 9 to, and trees, bushes, or topographical features.

10 NEW SECTION. **Sec. 2.** (1) The livestock care standards board is  
11 created and authorized to adopt minimal standards governing the care of  
12 livestock and poultry. All standards must be adopted in rule  
13 consistent with chapter 34.05 RCW.

14 (2) The board is composed of up to twelve individuals appointed by  
15 the director and must include the voting participation of the state  
16 veterinarian. The state veterinarian must serve as the chair of the  
17 board.

18 (3) In making appointments to the board, the director must ensure  
19 that there are participating qualified experts for each major species  
20 represented in the livestock industry and at least two individuals who  
21 are considered to be consumer advocates.

22 (4) In adopting animal care standards, the board must consider:  
23 (a) The health and husbandry of livestock and poultry;  
24 (b) Generally accepted farm management practices;  
25 (c) Generally accepted veterinarian standards and practices; and  
26 (d) The economic impact the standards may have on livestock and  
27 poultry farmers, the affected livestock and poultry industry, and  
28 consumers.

29 (5) Staff support to the board must be provided by the department.

30 (6) Members of the board receive no compensation but may be  
31 reimbursed for travel expenses as provided in RCW 43.03.050 and  
32 43.03.060.

33 NEW SECTION. **Sec. 3.** A person responsible for caring for  
34 livestock or poultry must provide the animals access to food and water  
35 that can reasonably be expected to maintain the health of animals of

1 that species, breed, sex, and age, raised using the applicable  
2 production method.

3 NEW SECTION. **Sec. 4.** A person responsible for caring for  
4 livestock or poultry must provide the animals access to sufficient  
5 shelter from the weather when it can reasonably be expected to be  
6 necessary to maintain the health of animals of that species, breed,  
7 sex, and age, raised using the applicable production method.

8 NEW SECTION. **Sec. 5.** (1) A person responsible for caring for  
9 livestock or poultry must take reasonable measures to protect the  
10 animals from injury or disease that can reasonably be expected to  
11 seriously endanger the life or health of animals of that species,  
12 breed, sex, and age, raised using the applicable production method.

13 (2) A person responsible for caring for livestock or poultry with  
14 an injury or disease that seriously endangers the life or health of the  
15 animal must either:

16 (a) Provide treatment that can reasonably be expected to be  
17 sufficient for animals of that species, breed, sex, and age, raised  
18 using the applicable production method; or

19 (b) Euthanize the animal.

20 NEW SECTION. **Sec. 6.** A person responsible for caring for  
21 livestock or poultry must provide the animals with an environment that  
22 can reasonably be expected to maintain the health of animals of that  
23 species, breed, sex, and age, raised using the applicable production  
24 method.

25 NEW SECTION. **Sec. 7.** A person handling, restraining, or  
26 transporting livestock or poultry must use methods and equipment that  
27 can reasonably be expected to prevent an injury that would endanger the  
28 life or health of animals of that species, breed, sex, and age, raised  
29 using the applicable production method.

30 NEW SECTION. **Sec. 8.** (1) This chapter does not apply to the care  
31 of livestock and poultry used by a research facility that is regulated  
32 by the United States department of agriculture under the federal animal

1 welfare act (7 U.S.C. Sec. 2131 et seq. and 9 C.F.R. Part 2, Subpart  
2 C).

3 (2) There is no violation of this chapter if:

4 (a) A person is unable to provide the required care due to an act  
5 of nature, such as a natural disaster; or

6 (b) Care is provided or withheld in a manner prescribed by a  
7 veterinarian.

8 NEW SECTION. **Sec. 9.** (1) Violations of this chapter, or of the  
9 standards adopted by the board under section 2 of this act, are  
10 enforceable by the department or by an applicable local authority.  
11 However, no investigations or enforcement actions may be initiated  
12 unless the violation in question was the subject of a complaint made to  
13 either the department or the applicable local authority.

14 (2) If an investigation uncovers violations of this chapter or of  
15 the standards adopted by the board under section 2 of this act, then  
16 the department or applicable local authority may:

17 (a) Notify the state veterinarian and work with the state  
18 veterinarian to determine if on-site care or mitigation is a reasonable  
19 option to correct the identified deficiencies; or

20 (b) Seize and remove any animals if the conditions existing have  
21 the potential to being injurious to the immediate health of animals or  
22 humans.

23 (3) Upon being notified of an enforcement action under this  
24 chapter, the state veterinarian must review the circumstances of the  
25 alleged complaint and resulting investigation and make recommendations  
26 to mitigate the animal welfare or neglect issue. The state  
27 veterinarian may also recommend that the underlying issue be forwarded  
28 to the appropriate law enforcement agency for prosecution as an animal  
29 cruelty event under chapter 16.52 RCW.

30 NEW SECTION. **Sec. 10.** Sections 1 through 9 of this act constitute  
31 a new chapter in Title 16 RCW.

--- END ---