

# FINAL BILL REPORT

## SB 5306

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Synopsis as Enacted

**Brief Description:** Concerning secondary commercial fish receivers.

**Sponsors:** Senators Rolfes and Takko.

**Senate Committee on Natural Resources & Parks**  
**House Committee on Agriculture & Natural Resources**

**Background:** Department of Fish and Wildlife (DFW) Authority. Statute mandates DFW to manage fish, shellfish, and wildlife in state waters and offshore waters. DFW is authorized to inspect fish and shellfish for requirements such as licenses, permits, tags, stamps, or catch record cards.

Secondary Commercial Fish Receiver Crime. A secondary commercial fish receiver is a person who holds, ships, or brokers fish or shellfish in exchange for valuable consideration, or who sells fish or shellfish at retail price. A person is guilty of a secondary commercial fish receiver's failure to account for commercial harvest if the person fails to maintain records of each fish or shellfish receipt that must be entered on a Washington fish-receiving ticket or an aquatic farm production annual report.

This crime applies to a wholesale fish dealer acting in the capacity of a broker, but does not apply to:

- a wholesale fish dealer acting in the capacity of a wholesale fish dealer;
- a fisher selling under a direct retail sale endorsement; or
- a registered aquatic farmer.

A secondary commercial fish receiver's failure to account for commercial harvest is a misdemeanor.

Records Requirements. Fish and shellfish receipt records must be in English. Persons required to keep fish or shellfish records must maintain the records for three years from the date fish or shellfish are received, shipped, or brokered. Records maintained by persons that retail or broker must include the:

- name, address, and phone number of the wholesale fish dealer, fisher selling under a direct retail sale endorsement, or aquatic farmer or shellstock shipper from whom the fish or shellfish were purchased or received;

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- Washington fish-receiving ticket number documenting original receipt or aquatic farm production quarterly report documenting production, if available;
- date of purchase or receipt; and
- amount and species of fish or shellfish purchased or received.

Records maintained by persons that store, hold, or ship fish or shellfish for others must state the:

- name, address, and phone number of the person and business from whom the fish or shellfish were received;
- date of receipt; and
- amount and species of fish or shellfish received.

Legislative History. In 2016, the Legislature updated the secondary commercial fish receiver's failure to account for commercial harvest law, RCW 77.15.568, to require that receipt records are kept with the locally-stored fish or shellfish product. Formerly, secondary commercial fish receivers kept receipts at their principal place of business even if the fish were located out of country.

**Summary:** The secondary commercial fish receiver's failure to account for commercial harvest statute is updated to also apply to a fish or shellfish processor. Wholesale fish buyers, limited fish sellers, and registered aquatic farmers do not have to document fish or shellfish on fish tickets or aquatic farm production reports.

This Act combines the records requirements of sellers, shippers, and holders to require the same information. Additionally, fish or shellfish records must include the state or country of origin if received from interstate or foreign commerce.

The records do not require the Washington fish-receiving ticket number or aquatic farm production quarterly report. Furthermore, this Act gives DFW rulemaking authority to define the types of fish and shellfish that must be reported.

**Votes on Final Passage:**

Senate	49	0
House	96	1

**Effective:** July 23, 2017