
SUBSTITUTE SENATE BILL 5767

AS AMENDED BY THE HOUSE

Passed Legislature - 2013 Regular Session

State of Washington

63rd Legislature

2013 Regular Session

By Senate Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield and Hobbs)

READ FIRST TIME 02/22/13.

1 AN ACT Relating to inspection of dairy cattle; amending RCW
2 16.57.160, 16.57.370, and 16.57.300; and repealing RCW 16.57.303.

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

4 **Sec. 1.** RCW 16.57.160 and 2011 c 204 s 13 are each amended to read
5 as follows:

6 (1) The director may adopt rules:

7 (a) Designating any point for mandatory inspection of cattle or
8 horses or the furnishing of proof that cattle or horses passing or
9 being transported through the point have been inspected or identified
10 and are lawfully being transported;

11 (b) Providing for issuance of individual horse and cattle
12 identification certificates or other means of horse and cattle
13 identification;

14 (c) Designating the documents that constitute other satisfactory
15 proof of ownership for cattle and horses. A bill of sale may not be
16 designated as documenting satisfactory proof of ownership for cattle;
17 and

18 (d) Designating when inspection certificates, certificates of
19 permit, or other transportation documents required by law or rule must

1 designate a physical address of a destination. Cattle and horses must
2 be delivered or transported directly to the physical address of that
3 destination.

4 (2) A self-inspection certificate may be accepted as satisfactory
5 proof of ownership for cattle if the director determines that the self-
6 inspection certificate, together with other available documentation,
7 sufficiently establishes ownership. Self-inspection certificates
8 completed after June 10, 2010, are not satisfactory proof of ownership
9 for cattle.

10 (3)(a) Upon request by a milk producer licensed under chapter 15.36
11 RCW, the department must issue an official individual identification
12 tag to be placed by the producer before the first point of sale on bull
13 calves and free-martins (infertile female calves) under thirty days of
14 age. The fee for each tag is the cost to the department for
15 manufacture, purchase, and distribution of the tag plus the applicable
16 beef commission assessment. As used in this subsection (3), "green
17 tag" means the official individual identification issued by the
18 department.

19 (b) Transactions involving unbranded dairy breed bull calves or
20 free-martins (infertile female calves) not being moved or transported
21 out of Washington are exempt from inspection requirements under this
22 chapter only if:

23 (i) The animal is under thirty days old and has not been previously
24 bought or sold;

25 (ii) The seller holds a valid milk producer's license under chapter
26 15.36 RCW;

27 (iii) The sale does not take place at or through a public livestock
28 market or special sale authorized by chapter 16.65 RCW;

29 (iv) Each animal is officially identified as provided in (a) of
30 this subsection; and

31 (v) A certificate of permit and a bill of sale listing each
32 animal's green tag accompanies the animal to the buyer's location.
33 These documents do not constitute proof of ownership under this
34 chapter.

35 (c) All fees received under (a) of this subsection, except for the
36 beef commission assessment, must be deposited in the animal disease
37 traceability account in the agricultural local fund created in RCW
38 43.23.230.

1 **Sec. 2.** RCW 16.57.370 and 2003 c 326 s 43 are each amended to read
2 as follows:

3 All fees collected under the provisions of this chapter shall be
4 deposited in an account in the agricultural local fund and used to
5 carry out the purposes of this chapter, except as otherwise provided.

6 NEW SECTION. **Sec. 3.** RCW 16.57.303 (Proceeds from sale of
7 impounded dairy breed cattle--Paid to seller) and 2003 c 326 s 37 are
8 each repealed.

9 **Sec. 4.** RCW 16.57.300 and 2003 c 326 s 36 are each amended to read
10 as follows:

11 (~~Except under RCW 16.57.303,~~) The proceeds from the sale of
12 cattle and horses when impounded under RCW 16.57.290, after paying the
13 cost thereof, shall be paid to the director, who shall make a record
14 showing the brand or marks or other method of identification of the
15 animals and the amount realized from the sale thereof. However, the
16 proceeds from a sale of the cattle or horses at a licensed public
17 livestock market shall be held by the licensee for a reasonable period
18 not to exceed thirty days to permit the consignor to establish
19 ownership or the right to sell the cattle or horses. If the consignor
20 fails to establish legal ownership or the right to sell the cattle or
21 horses, the proceeds shall be paid to the director to be disposed of as
22 any other stray proceeds.

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