

Initiative Measure No. 1023

Filed

MAR 18 2008

SECRETARY OF STATE

AN ACT Relating to the confinement of egg-laying hens, amending RCW 16.52.185; adding a new section to chapter 16.52 RCW; prescribing penalties; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION.**Sec. 1.** The purpose of this act, subject to exceptions and commencing January 1, 2015, is to prohibit the cruel confinement of egg-laying hens in a manner that does not allow them to fully spread both wings without touching the side of an enclosure or other egg-laying hens.

NEW SECTION.**Sec. 2.** A new section is added to the end of chapter 16.52 RCW to read as follows:

- (1) A person is guilty of unlawful confinement of an egg-laying hen if the person confines the egg-laying hen, on a farm, for all or the majority of any day, in a manner that prevents the egg-laying hen from fully spreading both wings without touching the side of an enclosure or other egg-laying hens.
- (2) This section shall not apply:
 - (a) During scientific or agricultural research.
 - (b) During examination, testing, individual treatment or operation for veterinary purposes.
 - (c) During transportation.
 - (d) During state or county fair exhibitions, 4-H programs, and similar exhibitions.
 - (e) During the humane slaughter of an egg-laying hen in accordance with applicable laws and regulations.
- (3) For the purposes of this section,
 - (a) "Egg-laying hen" means any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.
 - (b) "Enclosure" means any cage, crate, or other structure (including what is commonly

described as a "battery cage") used to confine an egg-laying hen.

- (c) "Farm" means the land, building, support facilities, and other equipment that are wholly or partially used for the commercial production of animals or animal products used for food or fiber; but does not include live animal markets.
- (d) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.

- (4) A person violating this section is guilty of a gross misdemeanor, punishable as provided in RCW 9A.20.021.

NEW SECTION.**Sec. 3.** The provisions of RCW 16.52.185 shall not apply to this act.

NEW SECTION.**Sec. 4.** This act shall take effect January 1, 2015.

NEW SECTION.**Sec. 5.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION.**Sec. 6.** The provisions of this chapter are in addition to, and not in lieu of, any other laws protecting animal welfare. This chapter shall not be construed to limit any state law or regulations protecting the welfare of animals, nor shall anything in this chapter prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations.

Sec. 7. RCW 16.52.185 and 1994 c 261 s 22 are each amended to read as follows:

With the exception of the provisions of [INSERT OFFICIAL NAME OF THIS NEW BILL], nNothing in this chapter applies to accepted husbandry practices used in the commercial raising or slaughtering of livestock or poultry, or products thereof or to the use of animals in the normal and usual course of rodeo events or to the customary use or exhibiting of animals in

normal and usual events at fairs as defined in RCW
15.76.120.