Initiative Measure No. 1024

Filed
MAR 18 2008
SECRETARY OF STATE

AN ACT Relating to the confinement of certain farm animals; 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 confinement of farm animals in a manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs.

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 a covered farm animal if the person tethers or confines any covered animal, on a farm, for all or the majority of any day, in a manner that prevents such animal from:

(a) Lying down, standing up, and fully extending his or her limbs; and
(b) Turning around freely.

(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 rodeo exhibitions, state or county fair exhibitions, 4-H programs, and similar exhibitions.
(e) During the slaughter of a covered animal in accordance with the provisions of Chapter 16.50 RCW, and other applicable laws and regulations.
(f) To a pig during the seven-day period prior to the pig's expected date of giving birth.

(3) For the purposes of this section,

(a) "Calf raised for veal" means any calf of the bovine species kept for the purpose of producing the food product described as veal.

(b) "Covered animal" means any pig during pregnancy, calf raised for veal, or egg-laying hen who is kept on a farm.

(c) "Egg-laying hen" means any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.

(d) "Enclosure" means any cage, crate, or other structure (including what is commonly described as a "gestation crate" for pigs; a "veal crate" for calves; or a "battery cage" for egg-laying hens) used to confine a covered animal.

(e) "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; and does not include live animal markets.

(f) "Fully extending his or her limbs" means fully extending all limbs without touching the side of an enclosure, including, in the case of egg-laying hens, fully spreading both wings without touching the side of an enclosure or other egg-laying hens.

(g) "Person" means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.

(h) "Pig during pregnancy" means any pregnant pig of the porcine species kept for the primary purpose of breeding.

(i) "Turning around freely" means turning in a complete circle without any impediment, including a tether, and without touching the side of an enclosure.

(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], n~~N~~othing 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.