

AN ACT Relating to the prevention of farm animal cruelty; adding a new chapter to Title 16 RCW; creating a new section; prescribing penalties; and providing an effective date.

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

NEW SECTION. **Sec. 1.** This chapter shall be known and cited as the prevention of farm animal cruelty act.

NEW SECTION. **Sec. 2. Intent.** The purpose of this chapter is to prohibit the cruel confinement of egg-laying hens in cages that do not allow the hens to turn around freely, lie down, stand up, or fully extend their wings.

NEW SECTION. **Sec. 3. Prohibitions.** (1) Notwithstanding any other provision of law, a farm owner or operator shall not knowingly confine an egg-laying hen in a cage that:

(a) Prevents the hen from turning around freely, lying down, standing up, or fully extending her wings; or

(b) Is stacked or otherwise placed on top of or below another cage confining one or more egg-laying hens.

(2) A person shall not knowingly sell or offer for sale any shell egg for human consumption that is the product of an egg-laying hen confined in a manner contrary to the prohibitions of subsection (1) of this section.

NEW SECTION. **Sec. 4. Exceptions.** Section 3(1) of this act does not apply:

(1) During medical research;

(2) During examination, testing, individual treatment, or operation for veterinary purposes;

(3) During transportation;

(4) During temporary confinement for animal husbandry purposes for no more than twelve hours in any twenty-four hour period;

(5) During state or county fair exhibitions, 4-H programs, and similar exhibitions or educational programs; and

(6) During humane slaughter in accordance with applicable laws and regulations.

NEW SECTION.     **Sec. 5. Definitions.**     The definitions in this section apply throughout this chapter.

(1) "Cage" means any closed structure (including what is commonly referred to as a "battery cage," "enriched cage," or "colony cage") used to confine an egg-laying hen such that the hen cannot freely enter and exit the structure.

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

(3) "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.

(4) "Farm owner or operator" means any person who owns or controls the operation of a farm, and does not include any nonmanagement employee, contractor, or consultant.

(5) "Fully extending her wings" means having at least one and one-half square feet of individual usable floor space per egg-laying hen to fully spread both wings.

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

(7) "Shell egg" means any whole egg of an egg-laying hen with intact shell.

(8) "Turning around freely" means turning in a complete circle without any impediment.

NEW SECTION. **Sec. 6. Penalties.** A person violating this chapter is guilty of a gross misdemeanor, punishable as provided in RCW 9A.20.021.

NEW SECTION. **Sec. 7. Construction.** The provisions of this chapter are in addition to, and not in lieu of, any other laws protecting animal welfare. This act shall not be construed to limit any state laws or regulations protecting the welfare of animals, nor shall anything in this act prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations. In the event of a conflict between this chapter and any other provision of law, this act shall control.

NEW SECTION. **Sec. 8. Codification.** Sections 1 through 6 of this act constitute a new chapter in Title 16 RCW.

NEW SECTION. **Sec. 9. Severability.** 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. 10. Effective date.** This act takes effect January 1, 2018.