
SENATE BILL 5151

State of Washington

62nd Legislature

2011 Regular Session

By Senators Chase, Murray, Haugen, Nelson, Kline, Tom, Kohl-Welles, Shin, and Conway

Read first time 01/17/11. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to local animal care and control functions;
2 amending RCW 15.53.9018, 15.53.9044, and 18.92.260; adding a new
3 chapter to Title 16 RCW; prescribing penalties; and providing an
4 effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that:

7 (1) Tens of thousands of stray and homeless dogs and cats are
8 handled by Washington's animal care and control agencies and other
9 animal welfare organizations each year, costing millions of dollars.
10 This presents a significant financial burden to these organizations and
11 to Washington taxpayers.

12 (2) Unaltered dogs account for most serious incidences of
13 unprovoked dog aggression and dog bites, causing injury, suffering,
14 expense, and financial liability. This is a public safety issue that
15 has not been adequately addressed in Washington state.

16 (3) Many thousands of adoptable dogs and cats are put to death in
17 shelters each year because there are not enough homes available to
18 place them. This is a tragic consequence of animal overpopulation.

1 (4) Pets owned by low-income individuals are less likely to be
2 spayed or neutered than pets owned by individuals with higher levels of
3 income. The cost of spay and neuter surgery is a barrier to achieving
4 higher levels of surgically sterilized pets.

5 (5) The majority of feral and free-roaming cats in Washington are
6 not spayed or neutered, thus contributing significantly to the
7 population of cats that are homeless and euthanized in shelters.

8 (6) Reducing the companion animal population through spay and
9 neuter surgery will reduce the number of animals handled and cared for
10 by animal care and control agencies and other animal welfare
11 organizations. This, in turn, will help reduce costs these agencies
12 and organizations incur for handling stray, abandoned, relinquished,
13 and homeless animals and, most importantly, will help reduce the number
14 of animals that die in shelters.

15 (7) Increasing the numbers of dogs that are surgically sterilized
16 will help reduce risks of dog bites that result in injury, death,
17 medical costs, and liability. Increasing the numbers of feral and
18 free-roaming cats that are surgically sterilized will reduce the
19 burdens they place on animal care and control agencies, shelters,
20 animal rescue organizations, and individuals who care for these
21 unowned, lost, or abandoned animals.

22 (8) The most effective and humane way to reduce the number of
23 animals dying in shelters is to reduce animal overpopulation through a
24 targeted, statewide spay and neuter surgery network.

25 (9) A companion animal safety, population control, and spay/neuter
26 assistance program is necessary to address the problems and costs of
27 companion animal overpopulation. The program should be funded through
28 a fee that is practical, administratively feasible, and targeted at the
29 class of Washington residents that is most responsible for companion
30 animals and their impact on our communities: Owners of cats and dogs.

31 NEW SECTION. **Sec. 2.** The definitions in this section apply
32 throughout this chapter unless the context clearly requires otherwise.

33 (1) "Account" means the companion animal spay/neuter assistance
34 account created in section 9 of this act.

35 (2) "Animal care and control agency" means an agency or authority
36 as defined in RCW 16.52.011(2)(c).

37 (3) "Cat" means a member of the species *Felis catus*.

1 (4) "Companion animal" means a cat or dog and includes a feral or
2 free-roaming cat as defined in this section.

3 (5) "Copayment" means the amount in dollars that a low-income owner
4 of a dog or cat may be required to pay for spay or neuter surgery.

5 (6) "Department" means the department of health.

6 (7) "Dog" means a member of the species *Canis familiaris*.

7 (8) "Feral or free-roaming cat" means a cat that is unowned, lost,
8 or abandoned.

9 (9) "Low income" means an individual who is a resident of
10 Washington state and meets the income limitations defined in section
11 4(2) of this act or participates in a public assistance program defined
12 in section 4(2) of this act.

13 (10) "Medically unfit" means unsuitable for a surgical procedure
14 due to any medical condition that may place a dog or cat at
15 life-threatening risk if a surgical procedure is performed on such an
16 animal, as determined by a veterinarian.

17 (11) "Neuter" means the surgical procedure of castrating a male dog
18 or cat.

19 (12) "Owner" means an individual or individuals with ownership
20 rights and responsibilities for a dog or cat.

21 (13) "Participating spay and neuter surgery provider" means a
22 private veterinarian, private veterinary practice, animal care and
23 control agency, or nonprofit organization that performs spay and neuter
24 surgeries on companion animals belonging to low-income individuals, or
25 spay and neuter surgeries on feral or free-roaming cats, and is
26 participating in the program established under this chapter.

27 (14) "Program" means the companion animal safety, population
28 control, and spay/neuter assistance program created in this chapter.

29 (15) "Secretary" means the secretary of the department of health or
30 the secretary's designee.

31 (16) "Shelter" means a facility that is owned by a public, private,
32 or nonprofit organization that provides food, water, and housing for
33 stray, abandoned, abused, or owner-surrendered dogs and cats.

34 (17) "Spay" means the surgical procedure of ovariohysterectomy on
35 a female dog or cat.

36 (18) "Surgical sterilization" means performing spay or neuter
37 surgery on a dog or cat.

1 (19) "Voucher" means a nontransferable document that, when approved
2 by the secretary or the secretary's designee, authorizes low-income
3 owners of companion animals or caretakers of feral and free-roaming
4 cats to receive program-supported companion animal spay or neuter
5 surgeries, presurgical examinations, and vaccinations by participating
6 spay and neuter surgery providers.

7 NEW SECTION. **Sec. 3.** (1) The companion animal safety, population
8 control, and spay/neuter assistance program is established. The
9 purpose of the program is to provide for spaying and neutering of
10 companion animals owned by low-income individuals and for spaying and
11 neutering feral and free-roaming cats. This, in turn, will promote
12 greater public safety and humanely reduce the number of homeless
13 animals that require animal control services and enter our state's
14 animal shelters.

15 (2) The department shall administer the program and shall:

16 (a) Enroll spay and neuter surgery providers and publicize the
17 program and the names and locations of participating spay and neuter
18 surgery providers;

19 (b) Establish criteria and procedures for screening companion
20 animal owners and caretakers of feral and free-roaming cats for
21 eligibility to participate in the program. Caretakers of feral and
22 free-roaming cats are not subject to the low-income requirements set
23 forth in section 4(2) of this act;

24 (c) Screen companion animal owners and caretakers of feral and
25 free-roaming cats for eligibility or contract for screening to promote
26 the ease and convenience of applying for services under the program;

27 (d) Obtain the greatest number of spay and neuter surgeries that
28 can be accomplished efficiently, consistent with the program's purpose
29 and availability of funds;

30 (e) To the extent practical, maximize the ease and convenience for
31 eligible owners and caretakers of companion animals to apply for and
32 receive spay, neuter, and other authorized veterinary medical services,
33 and minimize administrative burdens, procedures, and costs for
34 participating spay and neuter surgery providers that participate in the
35 program; and

36 (f) Actively promote the program to inform the public about
37 companion animal overpopulation issues and surgical sterilization.

1 (3) The department's priorities for expenditures are to fund spay
2 and neuter surgeries on companion animals belonging to low-income
3 individuals who are Washington state residents and for spaying and
4 neutering feral and free-roaming cats.

5 (4) The department may expend moneys from the account to pay the
6 costs of presurgical examinations and vaccinations of companion animals
7 eligible for spay or neuter surgery.

8 (5) To the extent that moneys from the account are available and
9 spay and neuter funding priorities are met, as determined by the
10 secretary, the department may expend money from the account for spay
11 and neuter surgeries on companion animals that are in the possession of
12 animal shelters, animal care and control agencies, and other animal
13 welfare organizations. Expenditures under this subsection may be made
14 for spay and neuter surgeries on companion animals: Received as stray
15 or abandoned; relinquished by companion animals' owners or caretakers;
16 transferred in from other shelters, agencies, or organizations; or
17 taken into custody in accordance with chapter 16.52 RCW or local
18 ordinances.

19 (6) The department shall set copayment amounts for spay or neuter
20 surgery on owned companion animals. The copayment amounts may not
21 exceed twenty dollars per dog and ten dollars per cat. Any copayments
22 due must be paid by or on behalf of low-income owners of companion
23 animals to participating spay and neuter surgery providers. There is
24 no copayment due for spay or neuter surgery performed on feral or free-
25 roaming cats.

26 (7) The department may not use moneys from the account to provide
27 veterinary medical services to the public at large.

28 (8) Other agencies of the state, including but not limited to the
29 department of social and health services and the Washington state
30 health care authority, shall work cooperatively with the department to
31 facilitate the development of screening procedures for determining the
32 eligibility of low-income applicants to participate in the program.
33 The department of agriculture shall assist the department in collecting
34 companion animal spay/neuter fees as specified in RCW 15.53.9018.

35 (9) The department may contract with public, private, or nonprofit
36 agencies or organizations with relevant experience and expertise to
37 accomplish the purposes of the program.

1 (10) At least ninety percent of the funds from the account must be
2 used for payments to spay/neuter surgery providers for performing
3 spay/neuter surgery and other authorized services, informing and
4 educating the public about the benefits of spay/neuter surgery for
5 companion animals, and promoting the program to the public. No more
6 than ten percent of the funds from the account may be expended for
7 other purposes, including program administration.

8 NEW SECTION. **Sec. 4.** (1) The department may expend moneys from
9 the account for spay and neuter surgeries and other authorized services
10 for companion animals that are:

- 11 (a) Owned by qualified low-income individuals;
- 12 (b) Feral or free-roaming cats; or
- 13 (c) Not owned by individuals but are in the possession of animal
14 shelters, animal care and control agencies, and other animal welfare
15 organizations.

16 (2) An individual is "low income" if the individual is a resident
17 of Washington state and certifies or provides evidence that he or she:

- 18 (a) Meets the definition of "low-income household" defined in RCW
19 43.185A.010; or
- 20 (b) Is eligible for and participates in at least one of the
21 following public assistance programs:
 - 22 (i) The Washington basic food program administered by the
23 Washington state department of social and health services;
 - 24 (ii) Basic health administered by the Washington state health care
25 authority;
 - 26 (iii) Medical assistance programs administered by the Washington
27 state department of social and health services that fall within a
28 household income limitation of two hundred fifty percent of the federal
29 poverty level as defined by the United States department of health and
30 human services;
 - 31 (iv) Supplemental security income administered by the federal
32 social security administration; or
 - 33 (v) Any other public assistance program that the secretary
34 determines is sufficient to qualify a person as a low-income
35 individual.

36 (3) No unowned dog or cat transferred from jurisdictions outside

1 Washington state into this state is eligible for spay or neuter surgery
2 under the program.

3 NEW SECTION. **Sec. 5.** (1) Any private veterinarian, private
4 veterinary practice, animal care and control agency, and nonprofit
5 organization whose services include performing spay and neuter
6 surgeries on companion animals is eligible to apply to the department
7 to participate in the program.

8 (2) Spay and neuter services provided under the program may only be
9 performed by veterinarians licensed under chapter 18.92 RCW.

10 (3) Participation by spay and neuter surgery providers in the
11 program is voluntary. Participating spay and neuter surgery providers
12 may also elect to exclude particular species (dog or cat) and
13 participants may exclude acceptance of feral or free-roaming cats.

14 (4) Any private veterinarian, private veterinary practice, animal
15 care and control agency, or nonprofit organization that performs
16 companion animal spay and neuter surgeries that is interested in
17 participating in the program must submit an application to the
18 department that includes a schedule listing the fees charged for
19 companion animal sterilization in its normal course of business.
20 Applicants must list separate fees for surgical sterilization of female
21 cats, male cats, female dogs within various weight ranges, male dogs
22 within various weight ranges, and for other surgical classifications as
23 the department determines. In addition to providing a schedule of
24 fees, applicants that are animal care and control agencies or nonprofit
25 organizations must include reasonable documentation of their direct and
26 indirect costs of performing surgical sterilization.

27 (5) The department shall reimburse each participating private
28 veterinary spay and neuter surgery provider for companion animal
29 sterilization based upon the provider's normal fee schedule, provided
30 that it does not exceed an amount that the department determines is
31 usual, customary, and reasonable. The usual, customary, and reasonable
32 fee limit shall be calculated at the seventieth percentile rate, based
33 upon the department's review of prevailing fees for similar services
34 charged by peer private veterinary practices in Washington state. That
35 fee limit is the rate at which seventy percent of private practice
36 prevailing fees do not exceed. The department may establish rates of

1 compensation for presurgical examinations and for administration of
2 vaccinations in such a manner and at a level as the department
3 determines is fair and reasonable.

4 (6) The department shall establish separate rates of compensation
5 for the reasonable costs of surgical sterilization provided by animal
6 care and control agencies and nonprofit organizations that are
7 participating spay and neuter surgery providers. Compensation provided
8 under this section may not exceed the fee limit established for private
9 veterinary practices under subsection (5) of this section.

10 (7) The department shall adjust rates of compensation at two-year
11 intervals.

12 (8) No participating spay and neuter surgery provider is required
13 to perform medical procedures on an animal that the provider determines
14 is medically unfit.

15 (9) Participating private veterinarians or private veterinary
16 practices are not required to screen applicants for eligibility,
17 although they may do so voluntarily. The department may require that
18 animal care and control agencies and nonprofit organizations that are
19 participating spay and neuter surgery providers screen applicants for
20 eligibility.

21 (10) The department shall provide payment on a monthly basis to all
22 participating spay and neuter surgery providers for spay and neuter
23 surgeries, presurgical examinations, and vaccinations authorized by the
24 department for reimbursement. Services not authorized for payment may
25 not be reimbursed. Companion animal owners and caretakers of feral and
26 free-roaming cats are responsible for payment of any additional fees
27 due to the participating spay and neuter surgery provider that are
28 mutually agreed upon, administered by that provider, and not covered
29 under the program.

30 (11) To receive reimbursement for spay and neuter surgeries and
31 other approved services, the participating spay and neuter surgery
32 provider must submit documentation of authorized services performed as
33 required by the department.

34 NEW SECTION. **Sec. 6.** The department shall adopt policies and
35 procedures relative to:

36 (1) Determining eligibility for spay and neuter surgery;

- 1 (2) Establishing copayment amounts for spay and neuter surgeries on
- 2 companion animals owned by qualified low-income individuals;
- 3 (3) Enrolling spay and neuter surgery providers in the program;
- 4 (4) Determining the percentage of moneys to be allocated to spay
- 5 and neuter surgery, education of the public, and other purposes;
- 6 (5) Determining fair and reasonable rates of compensation for spay
- 7 and neuter surgeries, presurgical examinations, and vaccinations, and
- 8 for making fair and reasonable adjustments to those rates;
- 9 (6) Providing guidance to shelters concerning shelter reporting as
- 10 required under section 13 of this act; and
- 11 (7) Any other matter necessary for the administration of this act.

12 **Sec. 7.** RCW 15.53.9018 and 2006 c 209 s 2 are each amended to read
13 as follows:

14 (1) Every registrant or licensee must file a semiannual report on
15 forms provided by the department setting forth the number of tons of
16 commercial feed distributed in or into this state. The report must be
17 filed regardless of the amount of feed distributed or inspection fees
18 owed. The report must include:

- 19 (a) The name and mailing address of the registrant or licensee;
- 20 (b) The physical address of the registrant or licensee;
- 21 (c) The name, contact information, and signature of the person
- 22 filing the report;
- 23 (d) The total number of tons distributed in or into this state;
- 24 (e) The total number of tons on which the registrant or licensee is
- 25 paying fees;
- 26 (f) If the registrant or licensee is not paying inspection fees on
- 27 all commercial feed he or she distributed in or into this state,
- 28 information regarding the registrants or licensees that are responsible
- 29 for paying the inspection fees and the number of tons involved; (~~and~~)
- 30 (g) If the registrant or licensee is not paying companion animal
- 31 spay/neuter fees on all pet food he or she distributed in or into this
- 32 state, information regarding the registrants or licensees that are
- 33 responsible for paying the companion animal spay/neuter fees and the
- 34 number of tons involved; and
- 35 (h) Other information required by the department by rule.

36 (2) Except as provided in subsections (3) through (5) of this
37 section(~~(7)~~):

1 (a) Each initial distributor or responsible buyer must pay to the
2 department an inspection fee on all commercial feed distributed by such
3 person during the reporting period. ((The inspection fee must
4 accompany the report required in subsection (1) of this section.)) The
5 inspection fee shall be not less than four cents nor more than twelve
6 cents per ton as prescribed by the department by rule. ((These fees))
7 The inspection fee shall be used for enforcement and administration of
8 this chapter and its rules.

9 (b) Each initial distributor or responsible buyer of pet food must
10 pay to the department a companion animal spay/neuter fee on all pet
11 food distributed by such person during the reporting period. However,
12 no initial distributor or responsible buyer shall owe a companion
13 animal spay/neuter fee if the amount of pet food distributed during the
14 reporting period was less than one ton. Specialty pet food is not
15 subject to the companion animal spay/neuter fee. The companion animal
16 spay/neuter fee is fifty dollars per ton, with fractional amounts
17 subject to the fee proportionally. The companion animal spay/neuter
18 fee shall be deposited into the companion animal spay/neuter assistance
19 account created in section 9 of this act.

20 (c) All fees must accompany the report required in subsection (1)
21 of this section.

22 (3) The initial distributor is not required to pay an inspection
23 fee or companion animal spay/neuter fee for commercial feed he or she
24 distributed to a responsible buyer.

25 (4) In a situation where a responsible buyer is distributing to
26 another responsible buyer, the inspection fee, and if applicable, the
27 companion animal spay/neuter fee must be paid by the last responsible
28 buyer to distribute the commercial feed.

29 (5) The initial distributor or responsible buyer is not required to
30 pay an inspection fee or companion animal spay/neuter fee for: (a)
31 ((Pet food and specialty pet food distributed in packages weighing less
32 than ten pounds; (b))) Distribution of bona fide experimental feeds on
33 which accurate records and experimental programs are maintained;
34 ((+e)) (b) commercial feed distributed to points outside this state;
35 and ((+d)) (c) food processing byproducts from fruit, vegetable, or
36 potato processing plants, freezing or dehydrating facilities, or juice
37 or jelly preserving plants. In addition, the initial distributor or

1 responsible buyer is not required to pay an inspection fee for pet food
2 and specialty pet food distributed in packages weighing less than ten
3 pounds.

4 (6) Tonnage will be reported and inspection fees will be paid on
5 (a) byproducts or products of sugar refineries; and (b) materials used
6 in the preparation of pet foods and specialty pet food. Tonnage will
7 be reported and companion animal spay/neuter fees will be paid on
8 materials used in the preparation of pet food.

9 (7)(a) Each person made responsible by this chapter for filing a
10 report or paying inspection fees and, if applicable, companion animal
11 spay/neuter fees, must do so according to the following schedule:

12 (i) For the period January 1st through June 30th of each year, the
13 report (~~and~~), inspection fees, and companion animal spay/neuter fees
14 are due on July 31st of that year; and

15 (ii) For the period July 1st through December 31st of each year,
16 the report (~~and~~), inspection fees, and companion animal spay/neuter
17 fees are due on January 31st of the following year.

18 (b) If a complete report is not received by the due date or the
19 appropriate inspection fees and companion animal spay/neuter fees are
20 not received by the due date, the person responsible for filing the
21 report or paying the inspection fee and companion animal spay/neuter
22 fee must pay a late fee equal to fifteen percent of the (~~inspection~~)
23 fees owed or fifty dollars, whichever is greater.

24 (c) The department may cancel the registration of a person's
25 commercial feed or may cancel a person's commercial feed license if
26 that person fails to pay the late fee. The applicant or licensee may
27 request a hearing as authorized under chapter 34.05 RCW.

28 (8) If inspection fees are owed, the minimum inspection fee is
29 twelve dollars and fifty cents.

30 (9) For the purpose of verifying the accuracy of reports and
31 payment of appropriate inspection and companion animal spay/neuter
32 fees, the department may examine, at reasonable times, a registrant's
33 or licensee's distribution records and may require each registrant or
34 licensee to maintain records or file additional reports. These records
35 must be maintained in usable condition by the registrant or licensee
36 for a period of (~~three~~) five years unless by rule this retention
37 period is extended and must be submitted to the department upon
38 request.

1 (10) The report required by subsection (1) of this section shall
2 not be a public record, and any information given in such report which
3 would reveal the business operation of the person making the report is
4 exempt from public disclosure under chapter 42.56 RCW, and information
5 obtained by the department from other governmental agencies or other
6 sources that is used to verify information received in the report is
7 exempt from public disclosure under chapter 42.56 RCW. However, this
8 subsection does not prevent the use of information concerning the
9 business operation of a person if any action, suit, or proceeding
10 instituted under the authority of this chapter, including any civil
11 action for collection of unpaid inspection fees or companion animal
12 spay/neuter fees, which action is hereby authorized and which shall be
13 as an action at law in the name of the director of the department.

14 (11) Any commercial feed obtained by a consumer or contract feeder
15 outside the jurisdiction of this state and brought into this state for
16 use is subject to all the provisions of this chapter, including
17 inspection fees and companion animal spay/neuter fees.

18 **Sec. 8.** RCW 15.53.9044 and 2005 c 18 s 9 are each amended to read
19 as follows:

20 Except as otherwise provided in this chapter, all moneys collected
21 under this chapter shall be paid to the director and deposited in an
22 account within the agricultural local fund. Such deposits shall be
23 used only in the administration and enforcement of this chapter.

24 NEW SECTION. **Sec. 9.** The companion animal spay/neuter assistance
25 account is created in the custody of the state treasurer. All
26 companion animal spay/neuter fees received under RCW 15.53.9018, gifts
27 and grants to the program under section 10 of this act, or other
28 revenue directed to the account must be deposited into the account.
29 Expenditures from the account may be used only for the program as
30 authorized by this chapter. Only the secretary of health or the
31 secretary's designee may authorize expenditures from the account. The
32 account is subject to allotment procedures under chapter 43.88 RCW, but
33 an appropriation is not required for expenditures.

34 NEW SECTION. **Sec. 10.** The department may accept any donations,
35 grants, bequests, and devises, conditional or otherwise, or money,

1 property, service, or other things of value which may be received from
2 the United States or any agency thereof, any governmental agency, any
3 institution, person, firm, or corporation, public and private, to be
4 held, used, or applied for the purposes of the program established
5 under this chapter.

6 NEW SECTION. **Sec. 11.** A person who knowingly falsifies the
7 following information is guilty of a misdemeanor and may be suspended
8 from participation in the program:

9 (1) Individual and household income or ownership of a pet in order
10 to qualify for pet sterilization;

11 (2) Prevailing fees and rates charged for spay and neuter
12 surgeries, presurgical examinations, and vaccinations; or

13 (3) Payment requests submitted to the department for performance of
14 services.

15 NEW SECTION. **Sec. 12.** Not later than April 30, 2013, and annually
16 thereafter, the department shall prepare and submit to the governor and
17 the legislature a report that describes and evaluates the program's
18 performance and impact over the previous year and cumulatively since
19 its inception. At the least, the report must include the following
20 elements: The number of spay and neuter surgeries performed by
21 individual spay/neuter surgery providers, the number of surgeries
22 performed within each county, and the number performed statewide; the
23 number of dogs and cats received by animal shelters and the sources and
24 fates of these animals reported by shelter, by county, and statewide;
25 program revenue and expenditures; effectiveness, efficiency, and
26 accomplishment of objectives; and recommendations for legislative or
27 administrative actions as the department deems appropriate.

28 NEW SECTION. **Sec. 13.** To assist the department in evaluating the
29 impact of the program, animal care and control agencies, humane
30 societies, and other nonprofit organizations that serve as animal
31 shelter for dogs and cats within the state must annually report to the
32 department, in a form and manner required by the department, the number
33 of cats, kittens, dogs, and puppies received and the sources and fates
34 of these animals. However, animal shelters that handle small numbers
35 of cats or dogs, as determined by the department, may not be required

1 to report. The department shall provide guidance to shelters on
2 classifying animals by age, health, and other factors for reporting
3 purposes. Animal shelters that fail to report as required under this
4 section may, at the department's discretion, be disqualified from
5 receiving moneys under this chapter.

6 **Sec. 14.** RCW 18.92.260 and 2002 c 157 s 2 are each amended to read
7 as follows:

8 (1)(a) Subject to the limitations in this section, animal care and
9 control agencies as defined in RCW 16.52.011 and nonprofit humane
10 societies, that have qualified under section 501(c)(3) of the internal
11 revenue code may provide limited veterinary services to animals owned
12 by qualified low-income households. The veterinary services provided
13 shall be limited to electronic identification, surgical sterilization,
14 and vaccinations. A veterinarian or veterinary technician acting
15 within his or her scope of practice must perform the limited veterinary
16 services. For purposes of this section, "low-income household" means
17 the same as in RCW 43.185A.010 and section 4(2)(b) of this act.

18 (b) Animal control agencies and nonprofit humane societies,
19 receiving animals on an emergency basis, may provide emergency care,
20 subject to a local ordinance that defines an emergency situation and
21 establishes temporary time limits.

22 (c) Any local ordinance addressing the needs under this section
23 that was approved by the voters and is in effect on July 1, 2003,
24 remains in effect.

25 (2) Veterinarians and veterinary technicians employed at these
26 facilities must be licensed under this chapter. No officer, director,
27 supervisor, or any other individual associated with an animal care or
28 control agency or nonprofit humane society owning and operating a
29 veterinary medical facility may impose any terms or conditions of
30 employment or direct or attempt to direct an employed veterinarian in
31 any way that interferes with the free exercise of the veterinarian's
32 professional judgment or infringes upon the utilization of his or her
33 professional skills.

34 (3) Veterinarians, veterinary technicians, and animal control
35 agencies and humane societies acting under this section shall, for
36 purposes of providing the limited veterinary services, meet the
37 requirements established under this chapter and are subject to the

1 rules adopted by the veterinary board of governors in the same fashion
2 as any licensed veterinarian or veterinary medical facility in the
3 state.

4 (4) The Washington state veterinary board of governors shall adopt
5 rules to:

- 6 (a) Establish registration and registration renewal requirements;
- 7 (b) Govern the purchase and use of drugs for the limited veterinary
8 services authorized under this section; and
- 9 (c) Ensure that agencies and societies are in compliance with this
10 section.

11 (5) The limited veterinary medical service authority granted by
12 registration under this section may be denied, suspended, revoked, or
13 conditioned by a determination of the board of governors for any act of
14 noncompliance with this chapter. The uniform disciplinary act, chapter
15 18.130 RCW, governs unregistered operation, the issuance and denial of
16 registrations, and the discipline of registrants under this section.

17 (6) No animal control agency or humane society may operate under
18 this chapter without registering with the department. An application
19 for registration shall be made upon forms provided by the department
20 and shall include the information the department reasonably requires,
21 as provided by RCW 43.70.280. The department shall establish
22 registration and renewal fees as provided by RCW 43.70.250. A
23 registration fee shall accompany each application for registration or
24 renewal.

25 NEW SECTION. **Sec. 15.** Sections 1 through 6 and 9 through 13 of
26 this act constitute a new chapter in Title 16 RCW.

27 NEW SECTION. **Sec. 16.** Sections 1 through 6 and 9 through 13 of
28 this act take effect January 1, 2012.

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