

**RCW 15.160.090 Seed dealer licenses—Department may adopt rules.**

(1) The department may adopt rules to require, as a condition of issuing a seed dealer license under chapter 20.01 RCW, that each seed dealer provide the department financial assurance for the performance by the seed dealer under any turf seed production contract or turf seed purchase contract entered into by the seed dealer.

(2) The department may refuse to issue a seed dealer license to an applicant if the applicant, any owner or officer of the applicant, or any individual exercising substantial control over the turf seed industry activities of the applicant:

(a) Is a seed dealer for which the license has been suspended under RCW 15.160.080;

(b) Is or was an owner or officer of a seed dealer at the time of an event that resulted in the license of the seed dealer being suspended under RCW 15.160.080; or

(c) Was an individual who exercised substantial control over the seed industry activities of a turf seed dealer at the time of an event that resulted in the license of the seed dealer being suspended under RCW 15.160.080.

(3) An agent that enters into a turf seed production contract on behalf of a turf seed dealer is conclusively presumed to have actual authority to establish the performance obligations of the seed dealer under the contract.

(4) For the purposes of this section:

(a) "Officer" means any of the following individuals:

(i) A president, vice president, secretary, treasurer, or director of a corporation;

(ii) A general partner in a limited partnership;

(iii) A manager in a manager-managed limited liability company;

(iv) A member of a member-managed limited liability company;

(v) A trustee; or

(vi) An individual who is an officer as defined by the department by rule. A definition of "officer" adopted by department rule may include individuals not listed in this subsection (4) (a) who may exercise substantial control over a business.

(b) "Owner" means:

(i) A sole proprietor of, partner in, or holder of a controlling interest in an applicant; or

(ii) Any person who is an owner as defined by the department by rule. [2025 c 117 s 9.]