

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1218

Chapter 102, Laws of 2013

63rd Legislature
2013 Regular Session

DEPARTMENT OF FISH AND WILDLIFE--LICENSE SUSPENSIONS

EFFECTIVE DATE: 07/28/13

Passed by the House March 6, 2013
Yeas 0 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 17, 2013
Yeas 0 Nays 0

BRAD OWEN

President of the Senate

Approved May 1, 2013, 1:59 p.m.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1218** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 1, 2013

**Secretary of State
State of Washington**

HOUSE BILL 1218

Passed Legislature - 2013 Regular Session

State of Washington **63rd Legislature** **2013 Regular Session**

By Representatives Takko, Klippert, Blake, Orcutt, Kirby, Buys, Lytton, Goodman, Kretz, Van De Wege, Nealey, Hudgins, Wilcox, Stanford, Short, Warnick, Haigh, and Ryu; by request of Department of Fish and Wildlife

Read first time 01/21/13. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to department of fish and wildlife license
2 suspensions; and amending RCW 77.15.670.

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

4 **Sec. 1.** RCW 77.15.670 and 1999 c 258 s 11 are each amended to read
5 as follows:

6 (1) A person is guilty of violating a suspension of department
7 privileges in the second degree if the person engages in any activity
8 that is licensed by the department and the person's privileges to
9 engage in that activity were revoked or suspended by any court or the
10 department.

11 (2) A person is guilty of violating a suspension of department
12 privileges in the first degree if the person commits the act described
13 by subsection (1) of this section and:

14 (a) The suspension of privileges that was violated was a permanent
15 suspension;

16 (b) The person takes or possesses more than two hundred fifty
17 dollars' worth of unlawfully taken food fish, wildlife, game fish,
18 seaweed, or shellfish; or

1 (c) The violation involves the hunting, taking, or possession of
2 fish or wildlife classified as endangered or threatened or big game.

3 (3)(a) Violating a suspension of department privileges in the
4 second degree is a gross misdemeanor. (~~Upon conviction, the~~
5 ~~department shall order~~) Except for violations of child support-based
6 suspensions, which are covered in (c) of this subsection, a conviction
7 under this subsection requires the department to order a permanent
8 suspension of the person's privileges to engage in (~~such~~) the hunting
9 or fishing activities that he or she was engaged in when he or she
10 violated a suspension of department privileges in the second degree.

11 (b) Violating a suspension of department privileges in the first
12 degree is a class C felony. (~~Upon conviction, the department shall~~
13 ~~order~~) Except for violations of child support-based suspensions, which
14 are covered in (c) of this subsection, a conviction under this
15 subsection requires the department to order a permanent suspension of
16 all of the person's privileges to hunt, fish, trap, or take wildlife,
17 food fish, game fish, or shellfish.

18 (c) Suspension periods for violations of child support-based
19 suspensions are as follows:

20 (i) If the suspension that the person violated in the second degree
21 was based on noncompliance with child support and was ordered under RCW
22 74.20A.322 or 77.32.014, then the department must order a suspension of
23 all of the person's privileges to hunt, fish, trap, or take wildlife,
24 food fish, game fish, or shellfish for a period of two years. This
25 suspension is in addition to any suspension required by the statute for
26 the underlying fish or wildlife violation.

27 (ii) If the suspension that the person violated in the first degree
28 was based on noncompliance with child support and was ordered under RCW
29 74.20A.322 or 77.32.014, then the department must order a suspension of
30 all of the person's privileges to hunt, fish, trap, or take wildlife,
31 food fish, game fish, or shellfish for a period of four years. This
32 suspension is in addition to any suspension required by the statute for
33 the underlying fish or wildlife violation.

34 (iii) Suspensions pursuant to (c)(i) and (ii) of this subsection do
35 not affect any underlying hunting and fishing privilege suspensions
36 based on noncompliance with child support and ordered under RCW
37 74.20A.322 or 77.32.014. If a person who is suspended pursuant to
38 (c)(i) and (ii) of this subsection completes the period of suspension

1 ordered under this section but is still suspended for child support
2 noncompliance, the person is prohibited from hunting, fishing, or
3 engaging in any activity regulated by the department until he or she
4 obtains a release from the department of social and health services and
5 provides a copy of the release to the department.

6 (4) As used in this section, hunting includes trapping with a
7 trapping license.

Passed by the House March 6, 2013.

Passed by the Senate April 17, 2013.

Approved by the Governor May 1, 2013.

Filed in Office of Secretary of State May 1, 2013.