
SUBSTITUTE SENATE BILL 6231

State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Natural Resources (originally sponsored by Senators Hargrove, Owen, M. Rasmussen and Morton)

Read first time 02/01/94.

1 AN ACT Relating to life-threatening animals; amending RCW
2 77.12.265; and adding a new section to chapter 16.52 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 16.52 RCW
5 to read as follows:

6 A person may kill a bear or cougar that is reasonably perceived to
7 be an unavoidable and immediate threat to human life.

8 **Sec. 2.** RCW 77.12.265 and 1987 c 506 s 35 are each amended to read
9 as follows:

10 The owner or tenant of real property may trap or kill on that
11 property wild animals or wild birds, other than an endangered species,
12 that is threatening human life or damaging crops, domestic animals,
13 fowl, or other property. Except in emergency situations, deer, elk,
14 and protected wildlife shall not be killed without a permit issued and
15 conditioned by the director. The director may delegate this authority.

16 For the purposes of this section, "emergency" means an unforeseen
17 circumstance beyond the control of the landowner or tenant that

1 presents a real and immediate threat to human life, crops, domestic
2 animals, fowl, or other property.

3 Alternatively, when sufficient time for the issuance of a permit by
4 the director is not available, verbal permission may be given by the
5 appropriate department regional administrator to owners or tenants of
6 real property to trap or kill on that property any cougar, bear, deer,
7 elk, or protected wildlife which is threatening human life or damaging
8 crops, domestic animals, fowl, or other property. The regional
9 administrator may delegate, in writing, a member of the regional staff
10 to give the required permission in these emergency situations. Nothing
11 in this section authorizes in any situation the trapping, hunting, or
12 killing of an endangered species.

13 Wildlife trapped or killed under this section remains the property
14 of the state, and the person trapping or killing the wildlife shall
15 notify the department immediately. The director shall dispose of
16 wildlife so taken within three working days of receiving such a
17 notification.

18 If the department receives recurring complaints regarding property
19 being damaged as described in this section from the owner or tenant of
20 real property, or receives such complaints from several such owners or
21 tenants in a locale, the commission shall consider conducting a special
22 hunt or special hunts to reduce the potential for such damage.

23 For purposes of this section, "crop" means an agricultural or
24 horticultural product growing or harvested and includes wild shrubs and
25 range land vegetation on privately owned cattle ranching lands. On
26 such lands, the land owner or lessee may declare an emergency when the
27 department has not responded within forty-eight hours after having been
28 contacted by the land owner or lessee regarding crop damage by wild
29 animals or wild birds. However, the department shall not allow claims
30 for damage to wild shrubs or range land vegetation on such lands.

31 Deer and elk shall not be killed under the authority of this
32 section on privately owned cattle ranching lands that were closed to
33 public hunting during the previous hunting season, except for land
34 closures which are coordinated with the department to protect property
35 and livestock.

36 The department shall work closely with landowners and tenants
37 suffering game damage problems to control damage without killing the
38 animals when practical, to increase the harvest of damage-causing

1 animals in hunting seasons, or to kill the animals when no other
2 practical means of damage control is feasible.

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