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**Agriculture & Natural Resources  
Committee**

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**SSB 6644**

**Brief Description:** Regarding falconry.

**Sponsors:** Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senator Jacobsen).

**Brief Summary of Substitute Bill**

- Creates two new permits allowing for the practice of falconry.
- Exempts snaring devices designed for the safe capture of live raptors from the provisions of the state's prohibition against body-gripping traps.

**Hearing Date:** 2/19/10

**Staff:** Jason Callahan (786-7117).

**Background:**

Role of the Department of Fish and Wildlife (WDFW).

The WDFW serves as manager of the state's fish and wildlife resources. Among other duties, the WDFW must classify wildlife and establish the basic rules and regulations governing the time, place, manner, and methods used to harvest fish and wildlife.

Falconry Permitting in Washington State.

Regulations of the WDFW define falconry as the possession and use of raptors for the purpose of hunting or free flight training. The regulations define a raptor as a live migratory bird of the orders *Falconiformes* or *Strigiformes*. Examples of these orders include hawks, ospreys, falcons, and owls.

The federal government has primary authority over activities relating to migratory birds, and states must operate within the bounds of federal regulations concerning falconry. Prior to

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November 2008, the federal government imposed a dual permitting system, requiring a person to obtain both a state and federal falconry permit in order to practice falconry. In order to receive a permit under the dual permitting system, a person must apply for a state and federal permit, pass a written examination, and have their raptor housing facility inspected. There is a \$100 fee for the federal permit, which is valid for three years. There is no fee for the state falconry permit.

In 2008, the federal government adopted regulations to streamline falconry permitting. If a state adopts regulations that meet or exceed standards specified by the federal government, that state permit becomes the sole permit necessary to practice falconry. A state has until 2014 to adopt such regulations, at which time the federal government will stop issuing falconry permits.

#### Limitations on Body-gripping Traps.

In general, it is a gross misdemeanor to use, or authorize the use of, a body-gripping trap to capture any animal. A body-gripping trap is defined as any trap that grips an animal or an animal's body part, including steel-jawed leghold traps, neck snares, and non-strangling foot snares.

#### **Summary of Bill:**

Two new permits, to be issued by the WDFW, are created that allow the possessor of the permit to practice falconry. Falconry is the capture or attempt to capture, possess, transfer, use, or dispose of a raptor for the purpose of hunting or free flight training.

A state resident falconry permit costs \$100 and is valid for two years. However, the WDFW must issue falconry permits to Washington residents free of charge during any period of time in which the United States Fish and Wildlife Service charges a fee for a substantially similar permit.

Non-residents may also purchase a one-year falconry permit. The fee for the non-resident permit is \$500 for a permit that allows for the capture of peregrine falcons, gyrfalcons, or goshawks or \$250 for a permit that allows for the capture of other raptors. There are no provisions allowing the WDFW to waive permit fee for non-residents. Non-residents may practice falconry in Washington without purchasing a permit if they are in possession of a valid permit issued by a different state, an Indian tribe, or another country.

All fees collected from falconry permits must be deposited into the State Wildlife Account and used by the WDFW from the administration and management of falconry.

Snaring devices designed for the safe capture of live raptors are exempted from the provisions of the state's prohibition against body-gripping traps if they are used under the auspices of a falconry permit.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.