
HOUSE BILL 1885

State of Washington

61st Legislature

2009 Regular Session

By Representatives Van De Wege, Blake, Warnick, Takko, Ormsby, and Lias

Read first time 02/02/09. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to feeding wildlife; amending RCW 77.15.160; adding
2 a new section to chapter 77.15 RCW; creating a new section; and
3 prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
6 protect wildlife from becoming habituated to humans and to protect the
7 public against the serious health and safety risk posed by wildlife who
8 are drawn into contact with humans and related infrastructure by
9 individuals who intentionally feed wildlife.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.15 RCW
11 to read as follows:

12 (1) A person may not intentionally feed, attempt to feed, or
13 attract wildlife to land or a building.

14 (2)(a) If a fish and wildlife officer or an ex officio fish and
15 wildlife officer has probable cause to believe that the existence or
16 location of food, food waste, or another substance in, upon, or about
17 any land or building poses a risk to the safety of any person because
18 the food, food waste, or other substance is attracting or could attract

1 wildlife to the land or building, the officer may issue a written
2 warning requiring the person to contain, move, or remove the food, food
3 waste, or other substance within two days.

4 (b) If a person who is issued a written warning under (a) of this
5 subsection fails to contain, move, or remove the food, food waste, or
6 other substance as directed, a fish and wildlife officer or an ex
7 officio fish and wildlife officer may issue an infraction, which must
8 be cited and punished as provided under chapter 7.84 RCW.

9 (c) If a person who is issued an infraction under (b) of this
10 subsection fails to contain, move, or remove the food, food waste, or
11 other substance as directed, or commits a new violation of this section
12 within twelve months of being issued an infraction under (b) of this
13 subsection, a fish and wildlife officer or an ex officio fish and
14 wildlife officer may issue another infraction, which must be cited and
15 punished as provided under chapter 7.84 RCW.

16 (3) This section does not apply to:

17 (a) A person who is engaging in hunting or trapping wildlife in
18 accordance with all other applicable provisions of this title or rules
19 of the commission or the director;

20 (b) A person who is engaging in a farming operation that is using
21 best management practices or other generally accepted farming
22 practices;

23 (c) Waste disposal facilities that are operating in accordance with
24 applicable federal, state, and municipal laws; and

25 (d) Zoos and lawfully operated wildlife refuges.

26 (4) The definitions in this subsection apply throughout this
27 section unless the context clearly requires otherwise.

28 (a) "Building" means a private domicile or home or public or
29 commercial building.

30 (b) "Wildlife" means bear, cougar, wolf, coyote, deer, elk, turkey,
31 raccoon, opossum, and skunk.

32 (c) "Food, food waste, or other substance" means human and pet
33 food, or other waste or garbage that could attract wildlife.

34 (d) "Feed, attempt to feed, or attract" means to provide, leave, or
35 place in, upon, or about any land or building, any food, food waste, or
36 other substance that attracts wildlife to that land, building, or
37 location.

1 **Sec. 3.** RCW 77.15.160 and 2000 c 107 s 237 are each amended to
2 read as follows:

3 A person is guilty of an infraction, which shall be cited and
4 punished as provided under chapter 7.84 RCW, if the person:

5 (1) Fails to immediately record a catch of fish or shellfish on a
6 catch record card required by RCW 77.32.430, or required by rule of the
7 commission under this title; (~~or~~)

8 (2) Fishes for personal use using barbed hooks in violation of any
9 rule; (~~or~~)

10 (3) Intentionally feeds wildlife in violation of a written warning
11 or previous infraction issued under section 1 of this act; or

12 (4) Violates any other rule of the commission or director that is
13 designated by rule as an infraction.

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