
HOUSE BILL 3158

State of Washington

61st Legislature

2010 Regular Session

By Representative O'Brien

Read first time 02/01/10. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to prohibiting the sale and use of lead sinkers and
2 jigs; adding a new chapter to Title 77 RCW; prescribing penalties; and
3 providing an effective date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds and declares the
6 following:

7 (1) The fish and wildlife of the state of Washington are a valuable
8 natural resource and an integral part of the economic and social fabric
9 of our state;

10 (2) A review of available literature and research indicates that
11 lead sinkers and jigs pose a significant hazard to water birds that
12 mistakenly ingest lead sinkers and jigs and experience lead poisoning;

13 (3) Lead is a toxic metal known to cause many health problems in
14 water birds and leads to an increasing susceptibility to disease,
15 predation, and infection. A single sinker can cause death within two
16 weeks;

17 (4) Lead has been linked to human health problems, including brain
18 damage, mental retardation, behavior problems, anemia, liver and kidney
19 damage, hearing loss, hyperactivity, developmental delays, other

1 physical and mental problems and, in extreme cases, death. Lower IQ
2 scores, slower development, and more attention problems have been
3 observed in children exposed to lead;

4 (5) Lead sinkers are small and easily swallowed, posing a toxic
5 hazard to children. Furthermore, many anglers make their own sinkers
6 or make sinkers in their home for sale to others. If proper
7 precautions are not used, lead vapors and dust can impact anyone within
8 the household; and

9 (6) Effective and comparably priced alternatives to lead sinkers
10 and jigs exist. It is irresponsible to continue to allow the use of
11 toxic products and their deposition in the waters of the state.

12 NEW SECTION. **Sec. 2.** The definitions in this section apply
13 throughout this chapter unless the context clearly requires otherwise.

14 (1) "Lead jig" means a lead weighted fishing hook, the lead portion
15 of which has a mass of one ounce or less or measures less than one inch
16 along its shortest axis.

17 (2) "Lead sinker" means a fishing sinker containing more than one-
18 half of one percent lead by weight, the lead portion of which has a
19 mass of one ounce or less or that measures less than one inch along its
20 shortest axis.

21 NEW SECTION. **Sec. 3.** (1) A person may not sell or offer for sale
22 within the state a lead sinker or lead jig.

23 (2) A violation of this section is a civil infraction for which a
24 fine of not less than one thousand dollars nor more than five thousand
25 dollars may be adjudged.

26 NEW SECTION. **Sec. 4.** (1) A person may not use a lead sinker for
27 fishing in the waters of the state.

28 (2) A violation of this section is a civil infraction for which the
29 following penalties apply:

30 (a) For the first offense, a minimum fine of one hundred twenty-
31 five dollars.

32 (b) For the second offense, a minimum fine of five hundred dollars,
33 and forfeiture of all fishing tackle, rod and reel, and the loss of any
34 fishing license for a period of at least one year.

1 (c) For a third or subsequent offense, a minimum fine of one
2 thousand dollars, forfeiture of all fishing tackle, rod and reel, and
3 a lifetime loss of any fishing license.

4 NEW SECTION. **Sec. 5.** The procedures for enforcement of sections
5 3 and 4 of this act are the same as the procedures for natural resource
6 infractions under chapter 7.84 RCW.

7 NEW SECTION. **Sec. 6.** The department shall provide public
8 education and outreach to disseminate information regarding this
9 chapter.

10 NEW SECTION. **Sec. 7.** Sections 3 and 4 of this act take effect
11 January 1, 2011.

12 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act constitute
13 a new chapter in Title 77 RCW.

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