
Environment Committee

ESSB 5186

Brief Description: Concerning skiing in an area or ski trail closed to the public.

Sponsors: Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Kastama, Delvin and Eide).

Brief Summary of Engrossed Substitute Bill

- Provides that a person is guilty of Criminal Trespass in the second degree if he or she knowingly skis in an area or on a ski trail, owned or controlled by a ski operator, that is closed to the public and has signs posted indicating the closure.

Hearing Date: 3/17/11

Staff: Courtney Barnes (786-7194).

Background:

Criminal Trespass.

A person who enters or remains unlawfully in or upon the premises of another is guilty of Criminal Trespass.

First Degree Criminal Trespass.

Criminal Trespass in the first degree occurs if the premises involved is a building. Criminal Trespass in the first degree is a gross misdemeanor. Gross misdemeanors are punishable by up to one year in jail or a \$5,000 fine, or both.

Second Degree Criminal Trespass.

Criminal Trespass in the second degree occurs if the premises involved is not a building. Criminal Trespass in the second degree is a misdemeanor. Simple misdemeanors are punishable by up to 90 days in jail or a \$1,000 fine, or both.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Notice and Skier Responsibility.

Ski area operators are required to maintain a sign system based on international or national standards and as may be required by the State Parks and Recreation Commission. If a particular trail or run has been closed to the public by an operator, the operator must place a notice at the top of the trail or run involved.

Under Washington law, no person may ski on a run or trail that has been closed. Any person skiing outside the confines of trails open for skiing or runs open for skiing within the ski area boundary are responsible for any injuries or losses resulting from his or her actions.

Summary of Bill:

A person is guilty of Criminal Trespass in the second degree if he or she knowingly skis in an area or on a ski trail, owned or controlled by a ski operator, that is closed to the public and has signs posted indicating the closure.

Appropriation: None.

Fiscal Note: Requested on March 11, 2011.

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