
HOUSE BILL 1719

State of Washington

58th Legislature

2003 Regular Session

By Representatives Upthegrove, Hunt, Dunshee, Romero, Hudgins and Darneille

Read first time 02/05/2003. Referred to Committee on Fisheries, Ecology & Parks.

1 AN ACT Relating to making injunctive relief available to private
2 parties under the shoreline management act; and amending RCW 90.58.230.

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

4 **Sec. 1.** RCW 90.58.230 and 1971 ex.s. c 286 s 23 are each amended
5 to read as follows:

6 Any person subject to the regulatory program of this chapter who
7 violates any provision of this chapter or permit issued pursuant
8 thereto shall be liable for all damage to public or private property
9 arising from such violation, including the cost of restoring the
10 affected area to its condition prior to violation. The attorney
11 general or local government attorney shall bring suit for damages under
12 this section on behalf of the state or local governments. Private
13 persons shall have the right to bring suit for damages or injunctive
14 relief, or both, under this section on their own behalf and on the
15 behalf of all persons similarly situated. If liability has been
16 established for the cost of restoring an area affected by a violation
17 the court shall make provision to assure that restoration will be
18 accomplished within a reasonable time at the expense of the violator.

1 In addition to such relief, including money damages, the court in its
2 discretion may award attorney's fees and costs of the suit to the
3 prevailing party.

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