

CERTIFICATION OF ENROLLMENT

SENATE BILL 5298

Chapter 174, Laws of 2009

61st Legislature
2009 Regular Session

NATURAL RESOURCE CIVIL INFRACTION--PENALTY REMOVAL

EFFECTIVE DATE: 07/26/09

Passed by the Senate March 2, 2009
YEAS 47 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 13, 2009
YEAS 96 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 22, 2009, 11:42 a.m.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5298** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 23, 2009

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 5298

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senators Regala and Kline; by request of Parks and Recreation Commission

Read first time 01/20/09. Referred to Committee on Judiciary.

1 AN ACT Relating to removing the penalty language from natural
2 resource civil infractions; and amending RCW 7.84.030.

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

4 **Sec. 1.** RCW 7.84.030 and 2004 c 43 s 2 are each amended to read as
5 follows:

6 (1) An infraction proceeding is initiated by the issuance and
7 service of a printed notice of infraction and filing of a printed or
8 electronic copy of the notice of infraction.

9 (2) A notice of infraction may be issued by a person authorized to
10 enforce the provisions of the title or chapter in which the infraction
11 is established when the infraction occurs in that person's presence.

12 (3) A court may issue a notice of infraction if a person authorized
13 to enforce the provisions of the title or chapter in which the
14 infraction is established files with the court a written statement that
15 the infraction was committed in that person's presence or that the
16 officer has reason to believe an infraction was committed.

17 (4) Service of a notice of infraction issued under subsection (2)
18 or (3) of this section shall be as provided by court rule.

1 (5) A notice of infraction shall be filed with a court having
2 jurisdiction within five days of issuance, excluding Saturdays,
3 Sundays, and holidays.

4 (~~(6) Failure to sign an infraction notice shall constitute a~~
5 ~~misdemeanor under chapter 9A.20 RCW.~~)

Passed by the Senate March 2, 2009.

Passed by the House April 13, 2009.

Approved by the Governor April 22, 2009.

Filed in Office of Secretary of State April 23, 2009.