
HOUSE BILL 1627

State of Washington

64th Legislature

2015 Regular Session

By Representative Schmick

Read first time 01/23/15. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to expanding the existing prohibition on
2 unlawfully entering the land of another to hunt or to retrieve hunted
3 wildlife under Title 77 RCW to include entering the land of another
4 to collect wildlife parts; amending RCW 77.15.435; and prescribing
5 penalties.

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

7 **Sec. 1.** RCW 77.15.435 and 2012 c 176 s 11 are each amended to
8 read as follows:

9 (1) A person is guilty of unlawfully hunting on, ~~((or))~~
10 retrieving hunted wildlife from, or collecting wildlife parts from
11 the property of another if the person knowingly enters or remains
12 unlawfully in or on the premises of another for the purpose of:

- 13 (a) Hunting for wildlife ~~((or))~~;
14 (b) Retrieving hunted wildlife; or
15 (c) Collecting wildlife parts.

16 (2) In any prosecution under this section, it is a defense that:

17 (a) The premises were at the time open to members of the public
18 for the purpose of hunting, and the actor complied with all lawful
19 conditions imposed on access to or remaining on the premises;

20 (b) The actor reasonably believed that the owner of the premises,
21 or other person empowered to license access ~~((thereto))~~ to the

1 premises, would have licensed him or her to enter or remain on the
2 premises for the purpose of hunting ~~((or))~~, retrieving hunted
3 wildlife, or collecting wildlife parts;

4 (c) The actor reasonably believed that the premises were not
5 privately owned; or

6 (d) The actor, after making all reasonable attempts to contact
7 the owner of the premises, ~~((retrieved))~~ entered the premises to
8 retrieve the hunted wildlife for the sole purpose of avoiding a
9 violation of the prohibition on the waste of fish and wildlife as
10 provided in RCW 77.15.170. The defense in this subsection only
11 applies to the retrieval of hunted wildlife and not to the actual act
12 of hunting itself or the collecting of wildlife parts.

13 (3) Unlawfully hunting on ~~((or))~~, retrieving hunted wildlife
14 from, or collecting wildlife parts from the property of another is a
15 misdemeanor.

16 (4) If a person unlawfully hunts and kills wildlife, or retrieves
17 hunted wildlife that he or she has killed, on the property of
18 another, then, upon conviction ~~((of unlawfully hunting on, or~~
19 ~~retrieving hunted wildlife from, the property of another))~~ under this
20 section, the department shall revoke all hunting licenses and tags
21 and order a suspension of the person's hunting privileges for two
22 years. This subsection does not apply to a person convicted under
23 this section for unlawfully collecting wildlife parts from the
24 property of another.

25 (5) Any wildlife or wildlife parts that ~~((is))~~ are unlawfully
26 hunted on ~~((or))~~, retrieved, or collected from the property of
27 another must be seized by fish and wildlife officers. Forfeiture and
28 disposition of the wildlife or wildlife parts is pursuant to RCW
29 77.15.100.

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