
HOUSE BILL 2934

State of Washington

66th Legislature

2020 Regular Session

By Representatives Blake and Walsh; by request of Department of Natural Resources

Read first time 02/10/20. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to recreational target shooting; and amending RCW
2 4.24.210.

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

4 **Sec. 1.** RCW 4.24.210 and 2017 c 245 s 1 are each amended to read
5 as follows:

6 (1) Except as otherwise provided in subsection (3) or (4) of this
7 section, any public or private landowners, hydroelectric project
8 owners, or others in lawful possession and control of any lands
9 whether designated resource, rural, or urban, or water areas or
10 channels and lands adjacent to such areas or channels, who allow
11 members of the public to use them for the purposes of outdoor
12 recreation, which term includes, but is not limited to, the cutting,
13 gathering, and removing of firewood by private persons for their
14 personal use without purchasing the firewood from the landowner,
15 hunting, fishing, camping, picnicking, swimming, hiking, bicycling,
16 skateboarding or other nonmotorized wheel-based activities, aviation
17 activities including, but not limited to, the operation of airplanes,
18 ultra-light airplanes, hang gliders, parachutes, and paragliders,
19 rock climbing, the riding of horses or other animals, clam digging,
20 pleasure driving of off-road vehicles, snowmobiles, and other
21 vehicles, boating, kayaking, canoeing, rafting, nature study, winter

1 or water sports, recreational target shooting, viewing or enjoying
2 historical, archaeological, scenic, or scientific sites, without
3 charging a fee of any kind therefor, shall not be liable for
4 unintentional injuries to such users.

5 (2) Except as otherwise provided in subsection (3) or (4) of this
6 section, any public or private landowner or others in lawful
7 possession and control of any lands whether rural or urban, or water
8 areas or channels and lands adjacent to such areas or channels, who
9 offer or allow such land to be used for purposes of a fish or
10 wildlife cooperative project, or allow access to such land for
11 cleanup of litter or other solid waste, shall not be liable for
12 unintentional injuries to any volunteer group or to any other users.

13 (3) Any public or private landowner, or others in lawful
14 possession and control of the land, may charge an administrative fee
15 of up to twenty-five dollars for the cutting, gathering, and removing
16 of firewood from the land.

17 (4) (a) Nothing in this section shall prevent the liability of a
18 landowner or others in lawful possession and control for injuries
19 sustained to users by reason of a known dangerous artificial latent
20 condition for which warning signs have not been conspicuously posted.

21 (i) A fixed anchor used in rock climbing and put in place by
22 someone other than a landowner is not a known dangerous artificial
23 latent condition and a landowner under subsection (1) of this section
24 shall not be liable for unintentional injuries resulting from the
25 condition or use of such an anchor.

26 (ii) Releasing water or flows and making waterways or channels
27 available for kayaking, canoeing, or rafting purposes pursuant to and
28 in substantial compliance with a hydroelectric license issued by the
29 federal energy regulatory commission, and making adjacent lands
30 available for purposes of allowing viewing of such activities, does
31 not create a known dangerous artificial latent condition and
32 hydroelectric project owners under subsection (1) of this section
33 shall not be liable for unintentional injuries to the recreational
34 users and observers resulting from such releases and activities.

35 (b) Nothing in RCW 4.24.200 and this section limits or expands in
36 any way the doctrine of attractive nuisance.

37 (c) Usage by members of the public, volunteer groups, or other
38 users is permissive and does not support any claim of adverse
39 possession.

40 (5) For purposes of this section, the following are not fees:

- 1 (a) A license or permit issued for statewide use under authority
2 of chapter 79A.05 RCW or Title 77 RCW;
- 3 (b) A pass or permit issued under RCW 79A.80.020, 79A.80.030, or
4 79A.80.040;
- 5 (c) A daily charge not to exceed twenty dollars per person, per
6 day, for access to a publicly owned ORV sports park, as defined in
7 RCW 46.09.310, or other public facility accessed by a highway,
8 street, or nonhighway road for the purposes of off-road vehicle use;
9 ((and))
- 10 (d) Amounts received from lease agreements to operate a
11 recreational target shooting facility under chapter 79.13 RCW or RCW
12 77.12.210; and
- 13 (e) Payments to landowners for public access from state, local,
14 or nonprofit organizations established under department of fish and
15 wildlife cooperative public access agreements if the landowner does
16 not charge a fee to access the land subject to the cooperative
17 agreement.

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