

SSB 6076 - S AMD
By Senator Kline

1 On page 14, after line 3, insert the following:

2 **Sec. 5.** RCW 77.15.096 and 2001 c 253 s 26 are each amended to read
3 as follows:

4 Fish and wildlife officers may inspect without warrant at
5 reasonable times and in a reasonable manner the premises,
6 containers, fishing equipment, fish, seaweed, shellfish, and
7 wildlife, and records required by the department of any commercial
8 fisher or wholesale dealer or fish buyer. Fish and wildlife
9 officers may similarly inspect without warrant the premises,
10 containers, fishing equipment, fish, shellfish, and wildlife, and
11 records required by the department of any shipping agent or other
12 person placing or attempting to place fish, shellfish, or wildlife
13 into interstate commerce, any cold storage plant that the department
14 has probable cause to believe contains fish, shellfish, or wildlife,
15 or of any taxidermist or fur buyer. Fish and wildlife officers may
16 inspect without warrant the records required by the department of
17 any retail outlet selling fish, shellfish, or wildlife, and, if the
18 officers have probable cause to believe a violation of this title
19 or rules of the commission has occurred, they may inspect without
20 warrant the premises, containers, and fish, shellfish, and wildlife
21 of any retail outlet selling fish, shellfish, or wildlife.
22 Authority granted under this section does not extend to quarters in
23 a boat, building, or other property used exclusively as a private
24 domicile, does not extend to transitory residences in which a person
25 has a reasonable expectation of privacy, and does not allow search
26 and seizure without a warrant if the thing or place is protected
27 from search without warrant within the meaning of Article I, section
28 7 of the state Constitution.

29 On page 1, line 2 of the title, strike "and 77.12.055" and
30 insert ",77.12.055 and 77.15.096"

« END ---

EFFECT: Ensures statutory authority of fish and wildlife officers to search commercial premises does not permit warrantless searches of private quarters or otherwise exceed constitutional search protections.