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SENATE BILL 5231

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Sheldon, Ericksen, Tom, Kline, Fraser, Hatfield, Billig, Delvin, Rolfes, Shin, and Conway; by request of Department of Fish and Wildlife

Read first time 01/24/13. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to ensuring hunter safety; amending RCW 77.32.155;  
2 adding a new section to chapter 77.15 RCW; and prescribing penalties.

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

4 **Sec. 1.** RCW 77.32.155 and 2009 c 269 s 1 are each amended to read  
5 as follows:

6 ~~(1)((a) When purchasing any hunting license, persons under the age~~  
7 ~~of eighteen shall present certification of completion of a course of~~  
8 ~~instruction of at least ten hours in the safe handling of firearms,~~  
9 ~~safety, conservation, and sportsmanship. All persons purchasing any~~  
10 ~~hunting license for the first time, if born after January 1, 1972,~~  
11 ~~shall present such certification.~~

12 ~~(b)(i) The director may establish a program for training persons in~~  
13 ~~the safe handling of firearms, conservation, and sportsmanship and~~  
14 ~~shall prescribe the type of instruction and the qualifications of the~~  
15 ~~instructors. The director shall, as part of establishing the training~~  
16 ~~program, exempt members of the United States military from the firearms~~  
17 ~~skills portion of any instruction course completed over the internet.~~

18 ~~(ii) The director may cooperate with the National Rifle~~

1 Association, organized sportsmen's groups, or other public or private  
2 organizations when establishing the training program.

3 ~~(c) Upon the successful completion of a course established under  
4 this section, the trainee shall receive a hunter education certificate  
5 signed by an authorized instructor. The certificate is evidence of  
6 compliance with this section.~~

7 ~~(d) The director may accept certificates from other states that  
8 persons have successfully completed firearm safety, hunter education,  
9 or similar courses as evidence of compliance with this section.~~

10 (2)) To purchase a Washington hunting license for the first time,  
11 a person born after January 1, 1972, must present proof of successfully  
12 passing a hunter education training course. Proof is either:

13 (a) A hunter education certificate of completion from a course  
14 instructed by or being taught under a contract with the department in  
15 the safe handling of firearms, safety, conservation, and ethical  
16 hunting behavior; or

17 (b) A hunter education certificate from another state or country  
18 whose course is department approved.

19 (2) No one under age eight is eligible to take a hunter education  
20 training course in Washington or to purchase a Washington hunting  
21 license.

22 (3) Members of the United States military who are residents of or  
23 stationed in Washington are exempt from the firearms skills portion of  
24 any hunter education training course instructed by or being taught  
25 under a contract with the department and completed over the internet.

26 (4)(a) Beginning August 1, 2013, the director is authorized to  
27 charge a registration fee of not more than twenty dollars for any  
28 hunter education training course. This fee must be collected as  
29 program income as defined in 50 C.F.R. Sec. 80.120 (2011). Program  
30 income may be added to the moneys committed to the grant agreement by  
31 the federal agency and the grantee. The program income must be used  
32 for the purposes and under the conditions of the grant agreement.

33 (b) The commission shall adopt rules specifying the use of moneys  
34 established under this subsection.

35 (5) Upon the successful completion of a hunter education training  
36 course instructed by or being taught under a contract with the  
37 department in the safe handling of firearms, safety, conservation, and

1 ethical hunting behavior, the trainee must receive an approved hunter  
2 education certificate.

3 (6)(a) The department is authorized to collect an application fee,  
4 not to exceed ten dollars, for providing a duplicate hunter education  
5 certificate. This fee must be collected as program income, as defined  
6 in 50 C.F.R. Sec. 80.120 (2011). Program income may be added to the  
7 moneys committed to the grant agreement by the federal agency and the  
8 grantee. The program income must be used for the purposes and under  
9 the conditions of the grant agreement.

10 (b) The commission shall adopt rules specifying the use of moneys  
11 established under this subsection.

12 (7) All hunters under the age of fourteen are required to be  
13 accompanied, while hunting, by a hunter who is currently licensed to  
14 hunt in Washington, is age eighteen or older, and whose Washington  
15 hunting license is not a one-year deferral license. However, a hunter  
16 under the age of fourteen is not required to be accompanied if he or  
17 she is the immediate family member of a private property owner or  
18 lessee and is hunting on property his or her family owns or is leasing.  
19 A violation of this subsection is punishable under section 2 of this  
20 act.

21 (8)(a) The ((director)) department may authorize a once in a  
22 lifetime, one license year deferral of hunter education training for  
23 individuals who are accompanied ((by a nondeferred Washington-licensed  
24 hunter who has held a Washington hunting license for the prior three  
25 years and is over eighteen years of age)), while hunting, by a hunter  
26 currently licensed to hunt in Washington, age eighteen or older, and  
27 whose Washington license is not a one-year deferral license. The  
28 commission shall adopt rules for the administration of this subsection  
29 to avoid potential fraud and abuse.

30 (b) The ((director)) department is authorized to collect an  
31 application fee, not to exceed twenty dollars, for obtaining the once  
32 in a lifetime, one license year deferral of hunter education training  
33 from the department. This fee must be deposited into the fish and  
34 wildlife enforcement reward account and must be used exclusively to  
35 administer the deferral program created in this subsection.

36 ((+e)) (9) For the purposes of this ((subsection)) section,  
37 "accompanied" means to go along with another person while staying

1 within a range of the other person that permits continual unaided  
2 visual and auditory communication.

3 ((+3)) (10) To encourage the participation of an adequate number  
4 of instructors for the hunter education training (~~(program)~~) course,  
5 the commission shall develop nonmonetary incentives available to  
6 individuals who commit to serving as an instructor. The incentives may  
7 include additional hunting opportunities for instructors.

8 NEW SECTION. Sec. 2. A new section is added to chapter 77.15 RCW  
9 to read as follows:

10 (1) All hunters under age fourteen must be accompanied, while  
11 hunting, by a hunter who is currently licensed to hunt in Washington,  
12 is age eighteen or older, and whose Washington hunting license is not  
13 a one-year deferral license. However, a hunter under the age of  
14 fourteen is not required to be accompanied if he or she is the  
15 immediate family member of a private property owner or lessee and is  
16 hunting on property his or her family owns or is leasing.

17 (2) A violation of this section is a misdemeanor.

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