

# HOUSE BILL REPORT

## HB 2416

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*As Reported By House Committee on:  
Fisheries & Wildlife*

**Title:** An act relating to hunting, fishing, and otherwise recreating on private property.

**Brief Description:** Changing the definition of "entering or remaining unlawfully" for purposes of hunting, fishing, or recreation on posted, fenced, or agricultural property.

**Sponsor(s):** Representatives R. King, Neher, Grant, Chandler, Orr, Rasmussen, Morton and Hochstatter.

**Brief History:**

Reported by House Committee on:  
Fisheries & Wildlife, February 7, 1992, DPA.

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**HOUSE COMMITTEE ON  
FISHERIES & WILDLIFE**

**Majority Report:** *Do pass as amended.* Signed by 8 members: Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Basich; Orr; Padden; and Spanel.

**Minority Report:** *Do not pass.* Signed by 3 members: Representatives G. Cole; Haugen; and Hochstatter.

**Staff:** Keitlyn Watson (786-7310).

**Background:** Under current law, a person is liable for second degree criminal trespass if entering, without permission, land that is posted, cultivated, or fenced. Permission may be issued orally or in writing. Land that is unimproved or apparently unused and that is not posted may be entered unless other clear form of notice against trespass is personally communicated to the person. Second degree criminal trespass is a misdemeanor.

Some landowners feel that hunters and other recreationists should obtain written permission before entering private land.

**Summary of Amended Bill:** A person must obtain written permission from the landowner or other authorized person before entering and hunting, fishing, or otherwise

recreating on land that is posted, cultivated, or fenced, unless the landowner or other authorized person has posted a notice of invitation to enter the land in question. Failure to do so constitutes second degree criminal trespass.

**Amended Bill Compared to Original Bill:** The amended bill provides that if a notice of invitation to enter on land is posted, a hunter or fisher or other recreationist does not need additional written permission to enter onto land that is posted, cultivated, or fenced.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Written permission is desirable, as hunters are encroaching more frequently on private property. Landowners should not have to put up with trespassers ruining their property, and want to know who is on their property. The landowners' responsibility to maintain their land is thwarted by inconsiderate trespassers.

**Testimony Against:** None.

**Witnesses:** Dick Coon, rancher (pro); Pam Madsen, Department of Wildlife (no position, bill needs to address absentee landowners); and Carolyn Seachreas, landowner (pro).