
SENATE BILL 5310

State of Washington

53rd Legislature

1993 Regular Session

By Senator Owen

Read first time 01/22/93. Referred to Committee on Natural Resources.

1 AN ACT Relating to trespass or waste of public lands; and amending
2 RCW 79.01.760.

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

4 **Sec. 1.** RCW 79.01.760 and 1927 c 255 s 200 are each amended to
5 read as follows:

6 (1) Every person who shall use or occupy public lands, remove
7 valuable resources, including but not limited to valuable materials
8 from public lands, or cause waste upon or damage to public lands, shall
9 be liable to the state for treble the value of damages. State's
10 damages shall include but not be limited to the value of the use,
11 occupancy, or valuable resources removed that the state could have
12 received had the use, occupancy, or removal been authorized, and injury
13 to the property. In addition, the trespasser shall be liable to
14 reimburse the state for all reasonable costs, including but not limited
15 to restoration costs, administrative costs, survey costs, legal costs,
16 and attorneys' fees incurred by the state to resolve the trespass or
17 restore the land to its original condition. However, if the department
18 determines, or the trespasser proves upon trial that the trespass or
19 waste was unintentional, the trespasser shall be liable only for single

1 damages plus reasonable costs incurred by the state as authorized in
2 this subsection.

3 (2) The commissioner of public lands is authorized and directed to
4 investigate all trespasses and wastes upon, and damages to, public
5 lands of the state, and to cause prosecutions for, and/or actions for
6 the recovery of, the same, to be commenced as is provided by law.

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