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HOUSE BILL 2589

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State of Washington

58th Legislature

2004 Regular Session

By Representatives Pearson, Kristiansen, Buck, Sump, Boldt, Crouse, Delvin, Condotta and Holmquist

Read first time 01/16/2004. Referred to Committee on Judiciary.

1 AN ACT Relating to liability for damage to livestock; amending RCW  
2 4.24.630; and declaring an emergency.

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

4 **Sec. 1.** RCW 4.24.630 and 1999 c 248 s 2 are each amended to read  
5 as follows:

6 (1) Every person who goes onto the land of another and who removes,  
7 damages, or destroys livestock, timber, crops, minerals, or other  
8 similar valuable property from the land, or wrongfully causes waste or  
9 injury to the land, or wrongfully injures personal property or  
10 improvements to real estate on the land, is liable to the injured party  
11 for treble the amount of the damages caused by the removal, waste, or  
12 injury. For purposes of this section, a person acts "wrongfully" if  
13 the person intentionally and unreasonably commits the act or acts while  
14 knowing, or having reason to know, that he or she lacks authorization  
15 to so act. Damages recoverable under this section include, but are not  
16 limited to, damages for the market value of the property removed or  
17 injured, and for injury to the land, including the costs of  
18 restoration. In addition, the person is liable for reimbursing the

1 injured party for the party's reasonable costs, including but not  
2 limited to investigative costs and reasonable attorneys' fees and other  
3 litigation-related costs.

4 (2) As used in this section "livestock" means an animal kept or  
5 raised for home use, amusement, profit, animal control, research, food,  
6 fur, fiber, animal testing, or breeding.

7 (3) This section does not apply in any case where liability for  
8 damages is provided under RCW 64.12.030, (~~79.01.756, 79.01.760,~~  
9 ~~79.40.070~~) 79.02.320, 79.02.300, 79.02.340, or where there is immunity  
10 from liability under RCW 64.12.035.

11 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
12 preservation of the public peace, health, or safety, or support of the  
13 state government and its existing public institutions, and takes effect  
14 immediately.

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