
SENATE BILL 6481

State of Washington

59th Legislature

2006 Regular Session

By Senators Jacobsen, Weinstein and Fairley

Read first time 01/12/2006. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to hunting waterfowl; amending RCW 77.15.400; and
2 prescribing penalties.

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

4 **Sec. 1.** RCW 77.15.400 and 2001 c 253 s 41 are each amended to read
5 as follows:

6 (1) A person is guilty of unlawful hunting of wild birds in the
7 second degree if the person:

8 (a) Hunts for, takes, or possesses a wild bird and the person does
9 not have and possess all licenses, tags, stamps, and permits required
10 under this title;

11 (b) Maliciously destroys, takes, or harms the eggs or nests of a
12 wild bird except when authorized by permit;

13 (c) Violates any rule of the commission or director regarding
14 seasons, bag or possession limits but less than two times the bag or
15 possession limit, closed areas, closed times, or other rule addressing
16 the manner or method of hunting or possession of wild birds; or

17 (d) Possesses a wild bird taken during a closed season for that
18 wild bird or taken from a closed area for that wild bird.

1 (2) A person is guilty of unlawful hunting of wild birds in the
2 first degree if the person takes or possesses two times or more than
3 the possession or bag limit for wild birds allowed by rule of the
4 commission or director.

5 (3)(a) Unlawful hunting of wild birds in the second degree is a
6 misdemeanor.

7 (b) Unlawful hunting of wild birds in the first degree is a gross
8 misdemeanor.

9 (4) In addition to the criminal penalties set forth in this
10 section, if a person violates a rule requiring the use of nontoxic shot
11 to hunt waterfowl, upon conviction:

12 (a) The court shall require a payment of one thousand dollars as a
13 criminal wildlife penalty assessment that must be paid to the clerk of
14 the court and distributed to the state treasurer for deposit in the
15 fish and wildlife enforcement reward account. The criminal wildlife
16 penalty assessment must be imposed regardless of and in addition to any
17 sentence, fine, or costs imposed for violating this section. The
18 criminal wildlife penalty assessment must be included by the court in
19 any pronouncement of sentence and may not be suspended, waived,
20 modified, or deferred in any respect; and

21 (b) The department shall revoke the hunting license of the person
22 and order a suspension of small game hunting privileges for two years.

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