**5884 AMH CHEN H3430.1 - NOT FOR FLOOR USE**

**SB 5884** - H AMD **1116**

By Representative Cheney

**NOT ADOPTED 02/27/2024**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 90.48 RCW to read as follows:

In determining restitution following a criminal conviction under this chapter or chapter 90.56 RCW, the court is authorized to order restitution for harm to natural resources or the environment. A restitution order must be based on the existence of a causal relationship between the crime charged and proven and harm to natural resources or the environment. A restitution order for a felony or misdemeanor conviction under this chapter or under chapter 90.56 RCW must be consistent with the provisions of RCW 9.94A.753(3).

NEW SECTION. **Sec.**  A new section is added to chapter 70A.15 RCW to read as follows:

In determining restitution following a criminal conviction under this chapter, the court is authorized to order restitution for harm to natural resources or the environment. A restitution order must be based on the existence of a causal relationship between the crime charged and proven and harm to natural resources or the environment. A restitution order for a felony or misdemeanor conviction under this chapter must be consistent with the provisions of RCW 9.94A.753(3).

NEW SECTION. **Sec.**  A new section is added to chapter 70A.300 RCW to read as follows:

In determining restitution following a criminal conviction under this chapter, the court is authorized to order restitution for harm to natural resources or the environment. A restitution order must be based on the existence of a causal relationship between the crime charged and proven and harm to natural resources or the environment. A restitution order for a felony or misdemeanor conviction under this chapter must be consistent with the provisions of RCW 9.94A.753(3)."

Correct the title.

EFFECT: (1) Authorizes the imposition of court-ordered restitution for violations of environmental criminal statutes.

(2) Provides that a restitution order must be based on the existence of a causal relationship between the crime charged and proven and harm to natural resources or the environment.

(3) Provides that an order of restitution for a felony or misdemeanor conviction under specified environmental statutes must be consistent with RCW 9.94A.753(3), which establishes certain requirements for orders of restitution, including that restitution ordered by a court pursuant to a criminal conviction must be based on easily ascertainable damages for injury to or loss of property and that the amount of restitution may not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime.