

**SB 5884 - H AMD 1116**

By Representative Cheney

**NOT ADOPTED 02/27/2024**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 90.48  
4 RCW to read as follows:

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

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 70A.15  
14 RCW to read as follows:

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

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 70A.300  
23 RCW to read as follows:

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

1 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.

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