

# SENATE BILL REPORT

## SB 5884

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As of January 8, 2024

**Title:** An act relating to court-ordered restitution in environmental criminal cases.

**Brief Description:** Concerning court-ordered restitution in environmental criminal cases.

**Sponsors:** Senators Trudeau and Pedersen.

**Brief History:**

**Committee Activity:** Environment, Energy & Technology: 1/09/24.

**Brief Summary of Bill**

- Authorizes the imposition of court-ordered restitution for violations of environmental criminal statutes.

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### SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

**Staff:** Adam Brunmeier (786-7357)

**Background:** Environmental Criminal Statutes. Washington law criminalizes certain conduct which is known to cause harm to the environment. Separate statutes across different chapters impose criminal penalties for violations relating to (1) water pollution, (2) air pollution, and (3) hazardous waste management. These statutes expressly authorize penalties such as fines or imprisonment. There is no language within these statutes expressly authorizing court-ordered restitution for harm suffered by victims of environmental crime.

Restitution. Restitution is a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. Restitution may be used to compensate victims or cover certain public costs for monetary harm arising out of a criminal offense. Statutes governing the application of restitution for violation of criminal law can be found in separate titles of the Revised Code of

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Washington.

**Summary of Bill:** The courts are authorized to order restitution for harm to natural resources or the environment, following a criminal conviction with respect to (1) water pollution, (2) air pollution, and (3) hazardous waste management.

**Appropriation:** None.

**Fiscal Note:** Requested on January 2, 2024.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.