
SUBSTITUTE SENATE BILL 5171

State of Washington

69th Legislature

2025 Regular Session

By Senate Agriculture & Natural Resources (originally sponsored by Senators Short, Chapman, Dozier, Schoesler, Wagoner, and Warnick)

READ FIRST TIME 02/17/25.

1 AN ACT Relating to claims for livestock damage due to wolf
2 predation; and amending RCW 77.36.100.

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

4 **Sec. 1.** RCW 77.36.100 and 2024 c 264 s 3 are each amended to
5 read as follows:

6 (1)(a) Except as limited by RCW 77.36.070, 77.36.080, 77.36.170,
7 and 77.36.180, the department shall offer to distribute money
8 appropriated to pay claims to the owner of commercial crops for
9 damage caused by wild deer or elk or to the owners of livestock that
10 has been killed by bears, wolves, or cougars, or injured by bears,
11 wolves, or cougars to such a degree that the market value of the
12 livestock has been diminished. Payments for claims for damage to
13 livestock are not subject to the limitations of RCW 77.36.070 and
14 77.36.080, but may not, except as provided in RCW 77.36.170 and
15 77.36.180, exceed the total amount specifically appropriated
16 therefor.

17 (b) Owners of commercial crops or livestock are only eligible for
18 a claim under this subsection if:

19 (i) The commercial crop owner satisfies the definition of
20 "eligible farmer" in RCW 82.08.855;

21 (ii) The conditions of RCW 77.36.110 have been satisfied; and

1 (iii) The damage caused to the commercial crop or livestock
2 satisfies the criteria for damage established by the commission under
3 (c) of this subsection.

4 (c) The commission shall adopt and maintain by rule criteria that
5 clarifies the damage to commercial crops and livestock qualifying for
6 compensation under this subsection. An owner of a commercial crop or
7 livestock must satisfy the criteria prior to receiving compensation
8 under this subsection. The criteria for damage adopted under this
9 subsection must include, but not be limited to, a required minimum
10 economic loss to the owner of the commercial crop or livestock, which
11 may not be set at a value of less than \$500. The process for
12 determining indirect damage claims must compare current year losses
13 to the average annual losses during the year that the claimant
14 experienced his or her first confirmed wolf depredation and the two
15 years preceding that event.

16 (2) (a) Subject to the availability of nonstate funds, nonstate
17 resources other than cash, or amounts appropriated for this specific
18 purpose, the department may offer to provide compensation to offset
19 wildlife interactions to a person who applies to the department for
20 compensation for damage to property other than commercial crops or
21 livestock that is the result of a mammalian or avian species of
22 wildlife on a case-specific basis if the conditions of RCW 77.36.110
23 have been satisfied and if the damage satisfies the criteria for
24 damage established by the commission under (b) of this subsection.

25 (b) The commission shall adopt and maintain by rule criteria for
26 damage to property other than a commercial crop or livestock that is
27 damaged by wildlife and may be eligible for compensation under this
28 subsection, including criteria for filing a claim for compensation
29 under this subsection.

30 (3) (a) To prevent or offset wildlife interactions, the department
31 may offer materials or services to a person who applies to the
32 department for assistance in providing mitigating actions designed to
33 reduce wildlife interactions if the actions are designed to address
34 damage that satisfies the criteria for damage established by the
35 commission under this section.

36 (b) The commission shall adopt and maintain by rule criteria for
37 mitigating actions designed to address wildlife interactions that may
38 be eligible for materials and services under this section, including
39 criteria for submitting an application under this section.

1 (4) (a) An owner who files a claim under this section may appeal
2 the decision of the department pursuant to rules adopted by the
3 commission if the claim:

4 (i) Is denied; or

5 (ii) Is disputed by the owner and the owner disagrees with the
6 amount of compensation determined by the department.

7 (b) An appeal of a decision of the department addressing deer or
8 elk damage to commercial crops is limited to \$30,000.

9 (5) (a) Consistent with this section, the commission shall adopt
10 rules setting limits and conditions for the department's expenditures
11 on claims and assessments for commercial crops, livestock, other
12 property, and mitigating actions.

13 (b) Claims awarded or agreed upon that are unpaid due to being in
14 excess of available funds in the current fiscal year are eligible for
15 payment in the next state fiscal year.

16 (c) If additional funds are not appropriated by the legislature
17 in the subsequent fiscal year specifically for unpaid claims, then no
18 further payment may be made on the claim.

19 (d) Claims awarded or agreed upon during a fiscal year must be
20 prioritized for payment based upon the highest percentage of loss,
21 calculated by comparing agreed-upon or awarded commercial crop
22 damages to the gross sales or harvested value of commercial crops for
23 the previous tax year.

24 (e) The payment of a claim under this section is conditional on
25 the availability of specific funding for this purpose and is not a
26 guarantee of reimbursement.

27 (6) For purposes of this section, "indirect damage claims" means
28 a damage claim for livestock losses, reduced weight gains, or reduced
29 pregnancy rates due to harassment of livestock by wolves.

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