
SENATE BILL 6233

State of Washington

69th Legislature

2026 Regular Session

By Senators Lias and Salomon

1 AN ACT Relating to penalties for sale of covered animal species;
2 amending RCW 77.15.135; and prescribing penalties.

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

4 **Sec. 1.** RCW 77.15.135 and 2016 c 2 s 3 are each amended to read
5 as follows:

6 (1) Except as authorized in subsections (2) and (3) of this
7 section, it is unlawful for a person to sell, offer to sell,
8 purchase, trade, barter for, or distribute any covered animal species
9 part or product.

10 (2) The prohibitions set forth in subsection (1) of this section
11 do not apply if any of the following conditions (~~(is—[are])~~) are
12 satisfied:

13 (a) The covered animal species part or product is part of a bona
14 fide antique, provided the antique status of such an antique is
15 established by the owner or seller thereof with historical
16 documentation evidencing provenance and showing the antique to be not
17 less than (~~(one—hundred)~~) 100 years old, and the covered animal
18 species part or product is less than (~~(fifteen)~~) 15 percent by volume
19 of such an antique;

1 (b) The distribution of the covered animal species part or
2 product is for a bona fide educational or scientific purpose, or to
3 or from a museum;

4 (c) The distribution of the covered animal species part or
5 product is to a legal beneficiary of an estate, trust, or other
6 inheritance, upon the death of the owner of the covered animal
7 species part or product;

8 (d) The covered animal species part or product is less than
9 (~~fifteen~~) 15 percent by volume of a musical instrument(~~(7)~~)
10 including, without limitation, string instruments and bows, wind and
11 percussion instruments, and pianos; or

12 (e) The intrastate sale, offer for sale, purchase, trade, barter
13 for, or distribution of the covered animal species part or product is
14 expressly authorized by federal law or permit.

15 (3) The prohibitions set forth in subsection (1) of this section
16 do not apply to an employee or agent of a federal, state, or local
17 government undertaking any law enforcement activity pursuant to
18 federal, state, or local law or any mandatory duty required by
19 federal, state, or local law.

20 (4)(a) Except as otherwise provided in this section, a person is
21 guilty of unlawful trafficking in species threatened with extinction
22 in the second degree if the person commits the act described in
23 subsection (1) of this section and the violation involves covered
24 animal species parts or products with a total market value of less
25 than (~~two hundred fifty dollars~~) \$250.

26 (b) Except as otherwise provided in this section, a person is
27 guilty of unlawful trafficking in species threatened with extinction
28 in the first degree if the person commits the act described by
29 subsection (1) of this section and the violation:

30 (i) Involves covered animal species parts or products with a
31 total market value of (~~two hundred fifty dollars~~) \$250 or more;

32 (ii) Occurs after entry of a prior conviction under this section;
33 or

34 (iii) Occurs within five years of entry of a prior conviction for
35 any other gross misdemeanor or felony under this chapter.

36 (c) Unlawful trafficking in species threatened with extinction in
37 the second degree is a gross misdemeanor.

38 (d) Unlawful trafficking in species threatened with extinction in
39 the first degree is a class C felony.

1 (e) If a person commits the act described by subsection (1) of
2 this section and such an act also would be a violation of any other
3 criminal provision of this title, the prosecuting authority has
4 discretion as to which crime or crimes the person is charged as long
5 as the charges are consistent with any limitations in the state and
6 federal Constitutions.

7 (5) In addition to the penalties set forth in subsection (4) of
8 this section, if a person is convicted of violating this section, the
9 court shall require payment of a criminal wildlife penalty assessment
10 in the amount of (~~two thousand dollars~~) \$4,000 that must be paid to
11 the clerk of the court and distributed each month to the state
12 treasurer for deposit in the fish and wildlife enforcement reward
13 account created in RCW 77.15.425. At least once per fiscal year, the
14 department shall transfer 50 percent of amounts deposited under this
15 subsection to the University of Washington's center for environmental
16 forensic science.

17 (6) If two or more people are convicted under subsection (1) of
18 this section, the criminal wildlife penalty assessment under this
19 section must be imposed against each person jointly and severally.

20 (7) The criminal wildlife penalty assessment provided in this
21 section must be doubled if the person is convicted of unlawful
22 trafficking in species threatened with extinction in the first
23 degree.

24 (8) By January 1, 2017, and thereafter annually, the director
25 shall provide a comprehensive report outlining current and future
26 enforcement activities and strategies related to chapter 2, Laws of
27 2016, including recommendations regarding any necessary changes, to
28 the relevant policy and fiscal committees of the senate and house of
29 representatives.

30 (9) The commission may adopt rules necessary for the
31 implementation and enforcement of chapter 2, Laws of 2016.

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