
SENATE BILL 5287

State of Washington

53rd Legislature

1993 Regular Session

By Senators Barr, M. Rasmussen, Hochstatter, Loveland, Snyder, Newhouse, Bauer, Deccio, Jesernig, Owen, Sutherland, Oke, Amondson, Moore, Fraser, Anderson, Prince, Sellar, Winsley and Erwin

Read first time 01/21/93. Referred to Committee on Agriculture.

1 AN ACT Relating to theft of livestock; amending RCW 9A.56.085; and
2 prescribing penalties.

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

4 **Sec. 1.** RCW 9A.56.085 and 1989 c 131 s 1 are each amended to read
5 as follows:

6 (1) Whenever a person is convicted of a violation of RCW 9A.56.080,
7 the convicting court shall order the person to pay the amount of two
8 thousand dollars for each animal killed or possessed.

9 (2) For the purpose of this section, the term "convicted" includes
10 a plea of guilty, a finding of guilt regardless of whether the
11 imposition of the sentence is deferred or any part of the penalty is
12 suspended, or the levying of a fine.

13 (3) If two or more persons are convicted of any violation of this
14 section, the amount required under this section shall be imposed upon
15 them jointly and severally.

16 (4) The fine in this section shall be imposed in addition to and
17 regardless of any penalty, including fines or costs, that is provided
18 for any violation of this section. The amount imposed by this section
19 shall be included by the court in any pronouncement of sentence and may

1 not be suspended, waived, modified, or deferred in any respect.
2 Nothing in this section may be construed to abridge or alter
3 alternative rights of action or remedies in equity or under common law
4 or statutory law, criminal or civil.

5 (5) A defaulted payment or any installment payment may be collected
6 by any means authorized by law for the enforcement of orders of the
7 court or collection of a fine or costs, including vacation of a
8 deferral of sentencing or of a suspension of sentence.

9 (6) The two thousand dollars additional penalty shall be remitted
10 by the county treasurer to the state treasurer as provided under RCW
11 10.82.070.

12 (7) If a person is convicted of a violation of RCW 9A.56.080 and
13 the court has ordered the person to make restitution and the person
14 fails to make restitution under the terms of the court order, upon
15 motion of the prosecuting attorney or the person to whom restitution is
16 owed, the court shall impose a term of confinement at a rate of one day
17 for each fifty dollars of unpaid restitution.

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