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HOUSE BILL 1218

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State of Washington

63rd Legislature

2013 Regular Session

**By** Representatives Takko, Klippert, Blake, Orcutt, Kirby, Buys, Lytton, Goodman, Kretz, Van De Wege, Nealey, Hudgins, Wilcox, Stanford, Short, Warnick, Haigh, and Ryu; by request of Department of Fish and Wildlife

Read first time 01/21/13. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to department of fish and wildlife license  
2 suspensions; and amending RCW 77.15.670.

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

4 **Sec. 1.** RCW 77.15.670 and 1999 c 258 s 11 are each amended to read  
5 as follows:

6 (1) A person is guilty of violating a suspension of department  
7 privileges in the second degree if the person engages in any activity  
8 that is licensed by the department and the person's privileges to  
9 engage in that activity were revoked or suspended by any court or the  
10 department.

11 (2) A person is guilty of violating a suspension of department  
12 privileges in the first degree if the person commits the act described  
13 by subsection (1) of this section and:

14 (a) The suspension of privileges that was violated was a permanent  
15 suspension;

16 (b) The person takes or possesses more than two hundred fifty  
17 dollars' worth of unlawfully taken food fish, wildlife, game fish,  
18 seaweed, or shellfish; or

1 (c) The violation involves the hunting, taking, or possession of  
2 fish or wildlife classified as endangered or threatened or big game.

3 (3)(a) Violating a suspension of department privileges in the  
4 second degree is a gross misdemeanor. (~~Upon conviction, the~~  
5 ~~department shall order~~) Except for violations of child support-based  
6 suspensions, which are covered in (c) of this subsection, a conviction  
7 under this subsection requires the department to order a permanent  
8 suspension of the person's privileges to engage in ((such)) the hunting  
9 or fishing activities that he or she was engaged in when he or she  
10 violated a suspension of department privileges in the second degree.

11 (b) Violating a suspension of department privileges in the first  
12 degree is a class C felony. (~~Upon conviction, the department shall~~  
13 ~~order~~) Except for violations of child support-based suspensions, which  
14 are covered in (c) of this subsection, a conviction under this  
15 subsection requires the department to order a permanent suspension of  
16 all of the person's privileges to hunt, fish, trap, or take wildlife,  
17 food fish, game fish, or shellfish.

18 (c) Suspension periods for violations of child support-based  
19 suspensions are as follows:

20 (i) If the suspension that the person violated in the second degree  
21 was based on noncompliance with child support and was ordered under RCW  
22 74.20A.322 or 77.32.014, then the department must order a suspension of  
23 all of the person's privileges to hunt, fish, trap, or take wildlife,  
24 food fish, game fish, or shellfish for a period of two years. This  
25 suspension is in addition to any suspension required by the statute for  
26 the underlying fish or wildlife violation.

27 (ii) If the suspension that the person violated in the first degree  
28 was based on noncompliance with child support and was ordered under RCW  
29 74.20A.322 or 77.32.014, then the department must order a suspension of  
30 all of the person's privileges to hunt, fish, trap, or take wildlife,  
31 food fish, game fish, or shellfish for a period of four years. This  
32 suspension is in addition to any suspension required by the statute for  
33 the underlying fish or wildlife violation.

34 (iii) Suspensions pursuant to (c)(i) and (ii) of this subsection do  
35 not affect any underlying hunting and fishing privilege suspensions  
36 based on noncompliance with child support and ordered under RCW  
37 74.20A.322 or 77.32.014. If a person who is suspended pursuant to  
38 (c)(i) and (ii) of this subsection completes the period of suspension

1 ordered under this section but is still suspended for child support  
2 noncompliance, the person is prohibited from hunting, fishing, or  
3 engaging in any activity regulated by the department until he or she  
4 obtains a release from the department of social and health services and  
5 provides a copy of the release to the department.

6 (4) As used in this section, hunting includes trapping with a  
7 trapping license.

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