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**SENATE BILL 5320**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Takko, Rivers, Wilson, L., Van De Wege, Honeyford, Warnick, and Short

1 AN ACT Relating to establishing a nonlethal program within the  
2 department of fish and wildlife for the purpose of training dogs;  
3 amending RCW 77.15.245; and adding a new section to chapter 77.12  
4 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.12  
7 RCW to read as follows:

8 (1) The department shall adopt by rule a process and criteria to  
9 select persons who may act as agents of the state for the purpose of  
10 using one or more dogs to hunt or pursue black bear, cougar, or  
11 bobcat to protect livestock, domestic animals, private property, or  
12 the public safety. The department must establish by rule the  
13 requirements an applicant must comply with when applying for the  
14 program including, but not limited to, a criminal background check.

15 (2) The department shall administer a training program to enable  
16 persons who have been selected by the department pursuant to  
17 subsection (1) of this section to train dogs for use consistent with  
18 this section. The purpose of this program is to provide dog training  
19 opportunities using nonlethal pursuit.

1       **Sec. 2.** RCW 77.15.245 and 2005 c 107 s 1 are each amended to  
2 read as follows:

3       (1) Notwithstanding the provisions of RCW 77.12.240,  
4 (~~77.36.020,~~) 77.36.030, or any other provisions of law, it is  
5 unlawful to take, hunt, or attract black bear with the aid of bait.

6       (a) Nothing in this subsection shall be construed to prohibit the  
7 killing of black bear with the aid of bait by employees or agents of  
8 county, state, or federal agencies while acting in their official  
9 capacities for the purpose of protecting livestock, domestic animals,  
10 private property, or the public safety.

11       (b) Nothing in this subsection shall be construed to prevent the  
12 establishment and operation of feeding stations for black bear in  
13 order to prevent damage to commercial timberland.

14       (c) Nothing in this subsection shall be construed to prohibit the  
15 director from issuing a permit or memorandum of understanding to a  
16 public agency, university, or scientific or educational institution  
17 for the use of bait to attract black bear for scientific purposes.

18       (d) As used in this subsection, "bait" means a substance placed,  
19 exposed, deposited, distributed, scattered, or otherwise used for the  
20 purpose of attracting black bears to an area where one or more  
21 persons hunt or intend to hunt them.

22       (2) Notwithstanding RCW 77.12.240, (~~77.36.020,~~) 77.36.030, or  
23 any other provisions of law, it is unlawful to hunt or pursue black  
24 bear, cougar, or bobcat(~~(, or lynx)~~) with the aid of a dog or dogs.

25       (a) Nothing in this subsection shall be construed to prohibit the  
26 (~~(killing)~~) hunting of black bear, cougar, or bobcat(~~(, or lynx)~~)  
27 with the aid of a dog or dogs by employees or agents of county,  
28 state, or federal agencies while acting in their official capacities  
29 for the purpose of protecting livestock, domestic animals, private  
30 property, or the public safety. A dog or dogs may be used by the  
31 owner or tenant of real property consistent with a permit issued and  
32 conditioned by the director.

33       (b) Nothing in this subsection shall be construed to prohibit the  
34 director from issuing a permit or memorandum of understanding to a  
35 public agency, university, or scientific or educational institution  
36 for the use of a dog or dogs for the pursuit, capture and relocation,  
37 of black bear, cougar, or bobcat(~~(, or lynx)~~) for scientific  
38 purposes.

39       (c) Nothing in this subsection shall be construed to prohibit the  
40 director from issuing a permit or memorandum of understanding to a

1 public agency, university, or scientific or educational institution  
2 for the use of a dog or dogs for the killing of black bear, cougar,  
3 or bobcat, for the protection of a state and/or federally listed  
4 threatened or endangered species.

5 (d) Nothing in this subsection may be construed to prohibit  
6 nonlethal pursuit training of dogs by persons selected pursuant to  
7 section 1 of this act for future use for the purpose of protecting  
8 livestock, domestic animals, private property, or the public safety.

9 (3) ~~((a))~~ Notwithstanding subsection (2) of this section, the  
10 commission ~~((shall))~~ may authorize the use of dogs only in selected  
11 areas within a game management unit to address a public safety need  
12 presented by one or more cougar. This authority may only be exercised  
13 after the commission has determined that no other practical  
14 alternative to the use of dogs exists, and after the commission has  
15 adopted rules describing the conditions in which dogs may be used.  
16 Conditions that may warrant the use of dogs within a game management  
17 unit include, but are not limited to, confirmed cougar/human safety  
18 incidents, confirmed cougar/livestock and cougar/pet depredations,  
19 and the number of cougar capture attempts and relocations.

20 ~~((b) The department shall post on their internet web site the~~  
21 ~~known details of all reported cougar/human, cougar/pet, or cougar/~~  
22 ~~livestock interactions within ten days of receiving the report. The~~  
23 ~~posted material must include, but is not limited to, the location and~~  
24 ~~time of all reported sightings, and the known details of any cougar/~~  
25 ~~livestock incidents.))~~

26 (4) A person who violates subsection (1) or (2) of this section  
27 is guilty of a gross misdemeanor. In addition to appropriate criminal  
28 penalties, the department shall revoke the hunting license of a  
29 person who violates subsection (1) or (2) of this section and order  
30 the suspension of wildlife hunting privileges for a period of five  
31 years following the revocation. Following a subsequent violation of  
32 subsection (1) or (2) of this section by the same person, a hunting  
33 license shall not be issued to the person at any time.

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