

1 **SB 6080** - H COMM AMD **ADOPTED 03/03/94**

2 By Committee on Judiciary

3 Strike everything after the enacting clause and insert the
4 following:

5 "NEW SECTION. **Sec. 1.** A new section is added to chapter
6 4.24 RCW to read as follows:

7 (1) Every person who goes onto the land of another and who
8 removes timber, crops, minerals or other similar valuable
9 property from the land, or wrongfully causes waste or injury to
10 the land, is liable to the injured party for treble the amount of
11 the damages caused by the removal, waste, or injury. For
12 purposes of this section, a person acts "wrongfully" if the
13 person intentionally and unreasonably commits the act or acts
14 while knowing, or having reason to know, that he or she lacks
15 authorization to so act. Damages recoverable under this section
16 include, but are not limited to, damages for the market value of
17 the property removed, and for injury to the land, including the
18 costs of restoration. In addition, the person is liable for
19 reimbursing the injured party for the party's reasonable costs,
20 including but not limited to investigative costs and reasonable
21 attorneys' fees and other litigation-related costs.

22 (2) This section does not apply in any case where liability
23 for damages is provided under RCW 64.12.030, 79.01.756,
24 79.01.760, or 79.40.070."

EFFECT: Expands coverage to all land, not just open space
or agricultural land. Removes occupying or using land as
the basis for treble damages. Limits treble damages for
property removal to the removal of timber, crops, minerals
and other similar valuable property.