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HOUSE BILL 2674

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State of Washington

53rd Legislature

1994 Regular Session

By Representative Pruitt

Read first time 01/19/94. Referred to Committee on Judiciary.

1 AN ACT Relating to wrongfully damaging property open to the public  
2 for outdoor recreation purposes; and adding a new section to chapter  
3 4.24 RCW.

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

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

7 (1) Every person who goes onto land open to members of the public  
8 for outdoor recreation purposes under RCW 4.24.210 and who wrongfully  
9 uses or occupies the land, wrongfully removes anything of value from  
10 the land, or wrongfully causes waste or injury to the land, is liable  
11 to the injured party for treble the amount of the damages caused by the  
12 use, occupation, removal, waste, or injury. For purposes of this  
13 section, a person acts "wrongfully" if the person intentionally and  
14 unreasonably commits the act or acts while knowing, or having reason to  
15 know, that he or she lacked authorization. Damages recoverable under  
16 this section include, but are not limited to, damages for the market  
17 value of the use, occupancy, or things removed, and for injury to the  
18 land, including the costs of restoration. In addition, the person is  
19 liable for reimbursing the injured party for the party's reasonable

1 costs, including but not limited to investigative costs and reasonable  
2 attorneys' fees and other litigation-related costs.

3 (2) This section does not apply in any case where liability for  
4 damages is provided under RCW 64.12.030, 79.01.756, 79.01.760, or  
5 79.40.070.

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