

6255-S2

Sponsor(s): Senate Committee on Judiciary (originally sponsored by Senators Rasmussen, Prentice, Morton, Franklin, Heavey, Brown and Goings)

Brief Description: Prescribing penalties for unlawful possession and storage of anhydrous ammonia.

SB 6255-S2 - DIGEST

(DIGEST AS ENACTED)

Provides that a person who, with intent to deprive the owner or owner's agent, wrongfully obtains anhydrous ammonia, is guilty of theft of anhydrous ammonia.

Declares that theft of anhydrous ammonia is a class C felony.

Provides that a person is guilty of the crime of unlawful storage of anhydrous ammonia if the person possesses anhydrous ammonia in a container that: (1) Is not approved by the United States department of transportation to hold anhydrous ammonia; or (2) was not constructed to meet state and federal industrial health and safety standards for holding anhydrous ammonia. Violation of this section is a class C felony.

Provides that any damages arising out of the unlawful possession of, storage of, or tampering with anhydrous ammonia or anhydrous ammonia equipment shall be the sole responsibility of the unlawful possessor, storer, or tamperer.

Does not apply to public employees or private contractors authorized to clean up and dispose of hazardous wastes or toxic substances under chapter 70.105 or 70.105D RCW.

Provides that the act shall be null and void if appropriations are not approved.