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ENGROSSED SUBSTITUTE HOUSE BILL 1249

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State of Washington

60th Legislature

2007 Regular Session

By House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake, Kretz, Orcutt, Takko and Haigh)

READ FIRST TIME 02/02/07.

1 AN ACT Relating to hunter education; amending RCW 77.32.155 and  
2 77.15.700; and prescribing penalties.

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

4 **Sec. 1.** RCW 77.32.155 and 2006 c 23 s 1 are each amended to read  
5 as follows:

6 (1)(a) When purchasing any hunting license, persons under the age  
7 of eighteen shall present certification of completion of a course of  
8 instruction of at least ten hours in the safe handling of firearms,  
9 safety, conservation, and sportsmanship. All persons purchasing any  
10 hunting license for the first time, if born after January 1, 1972,  
11 shall present such certification.

12 ((+2)) (b) The director may establish a program for training  
13 persons in the safe handling of firearms, conservation, and  
14 sportsmanship and shall prescribe the type of instruction and the  
15 qualifications of the instructors. The director may cooperate with the  
16 National Rifle Association, organized sportsmen's groups, or other  
17 public or private organizations when establishing the training program.

18 ((+3)) (c) Upon the successful completion of a course established

1 under this section, the trainee shall receive a hunter education  
2 certificate signed by an authorized instructor. The certificate is  
3 evidence of compliance with this section.

4 ~~((+4))~~ (d) The director may accept certificates from other states  
5 that persons have successfully completed firearm safety, hunter  
6 education, or similar courses as evidence of compliance with this  
7 section.

8 ~~((+5))~~ (2)(a) The director may authorize a once in a lifetime, one  
9 license year deferral of hunter education training for individuals who  
10 are accompanied by a nondeferred Washington-licensed hunter who has  
11 held a Washington hunting license for the prior three years and is over  
12 eighteen years of age. The commission shall adopt rules for the  
13 administration of this subsection to avoid potential fraud and abuse.

14 (b) The director is authorized to collect an application fee, not  
15 to exceed twenty dollars, for obtaining the once in a lifetime, one  
16 license year deferral of hunter education training from the department.  
17 This fee must be deposited into the fish and wildlife enforcement  
18 reward account and must be used exclusively to administer the deferral  
19 program created in this subsection.

20 (c) For the purposes of this subsection, "accompanied" means to go  
21 along with another person while staying within a range of the other  
22 person that permits continual unaided visual and auditory  
23 communication.

24 (3) To encourage the participation of an adequate number of  
25 instructors for the training program, the commission shall develop  
26 nonmonetary incentives available to individuals who commit to serving  
27 as an instructor. The incentives may include additional hunting  
28 opportunities for instructors.

29 **Sec. 2.** RCW 77.15.700 and 2005 c 321 s 1 are each amended to read  
30 as follows:

31 The department shall impose revocation and suspension of privileges  
32 in the following circumstances:

33 (1) Upon conviction, if directed by statute for an offense;

34 (2) Upon conviction, if the department finds that actions of the  
35 defendant demonstrated a willful or wanton disregard for conservation  
36 of fish or wildlife. Such suspension of privileges may be permanent.

1 This subsection (2) does not apply to violations involving commercial  
2 fishing;

3 (3) If a person is convicted twice within ten years for a violation  
4 involving unlawful hunting, killing, or possessing big game, the  
5 department shall order revocation and suspension of all hunting  
6 privileges for two years. RCW 77.12.722 or 77.16.050 as it existed  
7 before June 11, 1998, may comprise one of the convictions constituting  
8 the basis for revocation and suspension under this subsection;

9 (4)(a) If a person is convicted of an offense, has an uncontested  
10 notice of infraction, fails to appear at a hearing to contest an  
11 infraction, or is found to have committed an infraction three times in  
12 ten years involving any violation of recreational hunting or fishing  
13 laws or rules, the department shall order a revocation and suspension  
14 of all recreational hunting and fishing privileges for two years.

15 (b) A violation punishable as an infraction counts towards the  
16 revocation and suspension of recreational hunting and fishing  
17 privileges only where that violation is:

18 (i) Punishable as a crime on July 24, 2005, and is subsequently  
19 decriminalized; or

20 (ii) One of the following violations, as they exist on July 24,  
21 2005: RCW 77.15.160 (1) or (2); WAC 220-56-116; WAC 220-56-315(11); or  
22 WAC 220-56-355 (1) through (4).

23 (c) The commission may, by rule, designate additional infractions  
24 that do not count towards the revocation and suspension of recreational  
25 hunting and fishing privileges.

26 (5) If either the deferred education licensee or the required  
27 nondeferred accompanying person, hunting under the authority of RCW  
28 77.32.155(2), is convicted of a violation of this title, except for a  
29 violation of RCW 77.15.400 (1) through (3), the department may revoke  
30 all hunting licenses and tags and may order a suspension of one or both  
31 the deferred education licensee and the nondeferred accompanying  
32 person's hunting privileges for one year.

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