
**Agriculture & Natural Resources
Committee**

HB 1340

Brief Description: Regarding the unlawful hunting of big game.

Sponsors: Representatives Kretz, McCune, Johnson and Warnick.

Brief Summary of Bill

- Adds a new element to the crime of unlawful hunting of big game in the first degree so that a person may be convicted of this crime without first being convicted of a different wildlife-related crime if the person kills, or attempts to kill, three or more big game animals within the same course of events.

Hearing Date: 2/15/11

Staff: Jason Callahan (786-7117).

Background:

The crime of unlawful hunting of big game in the second degree is committed when a person does one of three things:

- hunts for, takes, or possesses big game without the required licenses and tags;
- violates any rules regarding requirements for hunting big game; or
- possesses a big game animal taken during a closed season [RCW 77.15.410(1)].

The crime of unlawful hunting of big game in the first degree is committed when a person who has previously committed a wildlife-related crime, within five years of that conviction, commits one of the acts that qualifies as the unlawful hunting in the second degree [RCW 77.15.410(2)].

The unlawful hunting of big game in the second degree is a gross misdemeanor, which is punishable by imprisonment in a county jail for not more than one year, by a fine of not more

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than \$5,000, or by both a fine and jail time [RCW 9.92.020]. In addition, a person convicted of this crime for hunting out of season or exceeding possession limits is also subject to a suspension of hunting privileges for two years.

The unlawful hunting of big game in the first degree is a class C felony, which is punishable by confinement in a state correctional institution for five years, by a fine of up to \$10,000, or by both a fine and prison time [RCW 9A.20.021]. In addition, a person convicted of this crime is subject to a suspension of hunting privileges for 10 years.

The term "big game" is defined to include the following animals: deer, elk, moose, mountain goats, caribou, mountain sheep, pronghorn antelopes, cougars, black bears, and grizzly bears [RCW 77.08.030].

Summary of Bill:

The elements of the crime of unlawful hunting of big game in the first degree are changed. A person may be convicted of this crime without first being convicted of a different wildlife-related crime if the person kills, or attempts to kill, three or more big game animals within the same course of events. The same course of events is defined to mean within a 24-hour period or as part of a series of acts evidencing a continuity of purpose.

The ability to prosecute the first degree of unlawful hunting of big game against a person with an earlier conviction is maintained.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.