

FINAL BILL REPORT

HB 1218

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Synopsis as Enacted

Brief Description: Concerning department of fish and wildlife license suspensions.

Sponsors: Representatives Takko, Klippert, Blake, Orcutt, Kirby, Buys, Lytton, Goodman, Kretz, Van De Wege, Nealey, Hudgins, Wilcox, Stanford, Short, Warnick, Haigh and Ryu; by request of Department of Fish and Wildlife.

House Committee on Agriculture & Natural Resources
Senate Committee on Natural Resources & Parks

Background:

The Washington Department of Fish and Wildlife (WDFW) must revoke licenses, tags, and stamps issued under the Fish and Wildlife Code and suspend the associated privileges for any time period in which a person is certified by the Department of Social and Health Services or a court of competent jurisdiction as a person in noncompliance with a support order. If a person engages in any activity that is licensed by the WDFW and the person's privileges to engage in that activity were revoked or suspended by the WDFW or any court, then he or she is guilty of Violating a "Suspension of Department Privileges" (Violating a Suspension) in the second degree. A person is guilty of Violating a Suspension in the first degree, if:

- the person engages in any activity that is licensed by the WDFW;
- the person's privileges to engage in that activity were revoked or suspended by the WDFW or any court; and
- the suspension of privileges violated was a permanent suspension, the person takes or possesses more than \$250 worth of unlawfully taken food fish, wildlife, game fish, seaweed, or shellfish, or the violation involves the hunting, taking, or possession of fish or wildlife classified as endangered or threatened or big game.

The WDFW must permanently suspend a person's privileges to engage in the hunting or fishing activity that resulted in a conviction for Violating a Suspension in the second degree. A conviction for Violating a Suspension in the first degree requires the WDFW to order a permanent suspension of all privileges to hunt, fish, trap, or take wildlife, food fish or shellfish. No distinction is made for convictions based on suspensions or revocations for noncompliance with a support order.

Summary:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Washington Department of Fish and Wildlife (WDFW) must order a suspension of all of a person's privileges to hunt, fish, trap, or take wildlife, food fish, game fish, or shellfish for a period of two years if he or she is convicted of Violating a "Suspension of Department Privileges" (Violating a Suspension) in the second degree and the violation was of a child support-based suspension. The suspension period is four years for a conviction of Violating a Suspension in the first degree involving a child support-based suspension. The suspensions issued for convictions of child support-based suspension violations are in addition to any suspension required for the underlying fish or wildlife violation. If a person with a child support-based suspension completes his or her period of suspension imposed because of a conviction but is still suspended for child support noncompliance, the person cannot hunt, fish, or engage in any activity regulated by the WDFW until he or she obtains a release from the Department of Social and Health Services and provides a copy of the release to the WDFW.

The taking of game fish is included in the list of privileges permanently suspended upon conviction for Suspension Violation in the first degree.

Penalties imposed upon persons convicted of Suspension Violation in the first or second degree that are based on child-support suspensions are revised. For Suspension Violation in the second degree, the WDFW must suspend all hunting and fishing privileges (rather than those that resulted in the violation) for a period of two years (rather than permanently). For Suspension Violation in the first degree, the WDFW must suspend all hunting and fishing privileges for a period of four years (rather than permanently).

Votes on Final Passage:

House	97	0
Senate	48	0

Effective: July 28, 2013