

# SENATE BILL REPORT

## HB 1218

---

---

As of March 15, 2013

**Title:** An act relating to department of fish and wildlife license suspensions.

**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.

**Brief History:** Passed House: 3/06/13, 97-0.

**Committee Activity:** Natural Resources & Parks: 3/14/13.

---

### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Staff:** Curt Gavigan (786-7437)

**Background:** A person's hunting or fishing privileges may be suspended under certain circumstances. Typically, the court may require the Department of Fish and Wildlife (DFW) to suspend a person's license for engaging in a criminal violation of the Fish and Wildlife Enforcement Code. The suspension generally lasts for a specified period of years.

The Department of Child Support (DCS) also has the ability to ask DFW to suspend a person's hunting and fishing privileges as the result of the nonpayment of child support. Federal law requires states to have procedures allowing them to suspend or restrict the use of state-issued licenses, including drivers' licenses, occupational licenses, and recreational and sporting licenses of individuals owing past-due child support. Failure to have these procedures will result in penalties to the state's Temporary Assistance to Needy Families Block Grant. Once a parent's license is suspended, DCS must promptly provide the parent with a release if the parent later comes into compliance.

A person commits the crime of violating a suspension of DFW privileges if the person engages in hunting or fishing while their license is suspended. The person is guilty of violating a suspension in the second degree for any violation of this provision. A person is guilty of violating a suspension in the first degree if the person commits the violation and:

- the person's privileges have been permanently suspended;
- the person takes or possesses more than \$250 worth of fish or wildlife; or

---

*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 violation involves the hunting or taking of fish or wildlife classified as endangered, threatened, or big game.

Conviction of violating a suspension in the first or second degree will result in a permanent revocation of the person's privileges to hunt, fish, trap, or take wildlife, food fish, game fish, or shellfish.

**Summary of Bill:** If a person engages in any activity licensed by DFW while the person's privileges are suspended due to the nonpayment of child support, it will result in a two-year suspension of privileges if violating a suspension in the second degree; and a four-year suspension of privileges if violating a suspension in the first degree.

Completion of the two or four-year suspensions above do not impact any underlying suspensions resulting from the nonpayment of child support.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill will provide further incentives for people to repay child support obligations.

**Persons Testifying:** PRO: Dean Takko, Michael Cenci, DFW Police.