

# SENATE BILL REPORT

## SB 6278

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As of January 24, 2014

**Title:** An act relating to killing of big game by mistake.

**Brief Description:** Concerning the killing of big game by mistake.

**Sponsors:** Senators Ericksen and Braun.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 1/28/14.

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Staff:** Richard Rodger (786-7401)

**Background:** When hunting big game it is unlawful to (1) hunt without the proper license, tag, or permit, or (2) violate any of the Department of Fish and Wildlife's (DFW) rules regarding seasons, bag or possession limits, closed areas including game reserves, closed times, or rules governing the hunting, taking, or possession of big game.

One of DFW's rules imposes hunting restrictions regarding the sex of big game. There is no defense to the unlawful taking or killing of a big game of the wrong sex.

**Summary of Bill:** An affirmative defense is created for the violation of DFW's rules regarding killing or taking a big game of the wrong sex. The defense does not apply to the killing of a bear, elk, or threatened or endangered species.

The affirmative defense requires the hunter to meet all of the following: the hunter was under a mistaken belief about the sex of the animal, the killing occurred during an open season for the species, and the hunter had the proper licenses, tags, or permits to lawfully hunt the species. The hunter must also remove all of the entrails, tag the animal, report the kill to DFW, deliver the carcass to any DFW officer within the county, and submit a sworn statement explaining the details. The hunter must also pay full restitution in the amount of the statutory license fee for that animal.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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*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.*

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

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