
HOUSE BILL 1655

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Pollet, Fitzgibbon, Upthegrove, Appleton, Ormsby, Maxwell, and Ryu

Read first time 02/04/13. Referred to Committee on Judiciary.

1 AN ACT Relating to the attorney general's authority and power to
2 prosecute environmental law violations; amending RCW 77.15.065; adding
3 a new section to chapter 43.10 RCW; creating a new section; repealing
4 RCW 70.105.120; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the state has an
7 interest in more efficiently integrating the prosecution of
8 environmental crimes to better protect Washington's natural
9 environment. Streamlining and integrating cooperation between local
10 and state jurisdictions is necessary to best protect the state's air,
11 water, and natural resources, and safeguard public health.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.10 RCW
13 to read as follows:

14 (1) The attorney general has explicit authority and power to
15 investigate crimes and initiate and conduct prosecutions for violations
16 under chapters 70.105 and 77.15 RCW.

17 (2) The attorney general has concurrent authority and power with

1 the prosecuting attorneys and supervising departments to investigate
2 crimes and initiate and conduct prosecutions for violations under
3 chapters 70.94, 88.40, and 90.48 RCW.

4 (3) The attorney general has explicit authority and power to
5 initiate and conduct prosecutions for crimes arising from violations of
6 chapter 70.94, 70.105, 77.15, 88.40, and 90.48 RCW.

7 **Sec. 3.** RCW 77.15.065 and 1996 c 267 s 9 are each amended to read
8 as follows:

9 ~~((If the prosecuting attorney of the county in which a violation of
10 this title or rule of the department occurs fails to file an
11 information against the alleged violator, the attorney general upon
12 request of the commission may file an information in the superior court
13 of the county and prosecute the case in place of the prosecuting
14 attorney. The commission may request prosecution by the attorney
15 general if thirty days have passed since the commission informed the
16 county prosecuting attorney of the alleged violation.))~~ Upon learning
17 of an alleged violation of this chapter, the commission may request
18 prosecution by either the attorney general or the prosecuting attorney
19 of the county in which the alleged violation occurred.

20 NEW SECTION. **Sec. 4.** RCW 70.105.120 (Authority of attorney
21 general) and 1980 c 144 s 2 are each repealed.

22 NEW SECTION. **Sec. 5.** This act takes effect August 1, 2013.

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