
HOUSE BILL 1641

State of Washington

64th Legislature

2015 Regular Session

By Representatives Blake, Lytton, and Tharinger

Read first time 01/26/15. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to adding shellfish to the list of species types
2 listed in RCW 77.15.260(1)(a); and amending RCW 77.15.260.

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

4 **Sec. 1.** RCW 77.15.260 and 2012 c 176 s 19 are each amended to
5 read as follows:

6 (1) A person is guilty of unlawful trafficking in fish,
7 shellfish, or wildlife in the second degree if the person traffics in
8 fish, shellfish, or wildlife with a wholesale value of less than two
9 hundred fifty dollars and:

10 (a) The fish(~~{, shellfish, }~~), shellfish, or wildlife is
11 classified as game, food fish, shellfish, game fish, or protected
12 wildlife and the trafficking is not authorized by statute or
13 department rule; or

14 (b) The fish, shellfish, or wildlife is unclassified and the
15 trafficking violates any department rule.

16 (2)(a) A person is guilty of unlawful trafficking in fish,
17 shellfish, or wildlife in the first degree if the person commits the
18 act described by subsection (1) of this section and:

19 (i) The fish, shellfish, or wildlife has a value of two hundred
20 fifty dollars or more; or

1 (ii) The fish, shellfish, or wildlife is designated as an
2 endangered species or deleterious exotic wildlife and such
3 trafficking is not authorized by any statute or department rule.

4 (b) For purposes of this subsection (2), whenever any series of
5 transactions that constitute unlawful trafficking would, when
6 considered separately, constitute unlawful trafficking in the second
7 degree due to the value of the fish, shellfish, or wildlife, and the
8 series of transactions are part of a common scheme or plan, then the
9 transactions may be aggregated in one count and the sum of the value
10 of all the transactions considered when determining the degree of
11 unlawful trafficking involved.

12 (3)(a) Unlawful trafficking in fish, shellfish, or wildlife in
13 the second degree is a class C felony.

14 (b) Unlawful trafficking in fish, shellfish, or wildlife in the
15 first degree is a class B felony.

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