
HOUSE BILL 1325

State of Washington

69th Legislature

2025 Regular Session

By Representatives Goodman and Scott; by request of Department of Fish and Wildlife

Read first time 01/16/25. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to expanding enforcement options for certain fish
2 and wildlife violations; amending RCW 77.08.010, 77.15.160,
3 77.15.260, 77.15.290, 77.15.410, and 77.15.460; and prescribing
4 penalties.

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

6 **Sec. 1.** RCW 77.08.010 and 2017 3rd sp.s. c 8 s 2 are each
7 amended to read as follows:

8 The definitions in this section apply throughout this title or
9 rules adopted under this title unless the context clearly requires
10 otherwise.

11 (1) "Angling gear" means a line attached to a rod and reel
12 capable of being held in hand while landing the fish or a handheld
13 line operated without rod or reel.

14 (2) "Bag limit" means the maximum number of game animals, game
15 birds, or game fish which may be taken, caught, killed, or possessed
16 by a person, as specified by rule of the commission for a particular
17 period of time, or as to size, sex, or species.

18 (3) "Building" means a private domicile, garage, barn, or public
19 or commercial building.

20 (4) "Closed area" means a place where the hunting of some or all
21 species of wild animals or wild birds is prohibited.

- 1 (5) "Closed season" means all times, manners of taking, and
2 places or waters other than those established by rule of the
3 commission as an open season. "Closed season" also means all hunting,
4 fishing, taking, or possession of game animals, game birds, game
5 fish, food fish, or shellfish that do not conform to the special
6 restrictions or physical descriptions established by rule of the
7 commission as an open season or that have not otherwise been deemed
8 legal to hunt, fish, take, harvest, or possess by rule of the
9 commission as an open season.
- 10 (6) "Closed waters" means all or part of a lake, river, stream,
11 or other body of water, where fishing or harvesting is prohibited.
- 12 (7) "Commercial" means related to or connected with buying,
13 selling, or bartering.
- 14 (8) "Commission" means the state fish and wildlife commission.
- 15 (9) "Concurrent waters of the Columbia river" means those waters
16 of the Columbia river that coincide with the Washington-Oregon state
17 boundary.
- 18 (10) "Contraband" means any property that is unlawful to produce
19 or possess.
- 20 (11) "Covered animal species" means any species of elephant,
21 rhinoceros, tiger, lion, leopard, cheetah, pangolin, marine turtle,
22 shark, or ray either: (a) Listed in appendix I or appendix II of the
23 convention on international trade in endangered species of wild flora
24 and fauna; or (b) listed as critically endangered, endangered, or
25 vulnerable on the international union for conservation of nature and
26 natural resources red list of threatened species.
- 27 (12) "Covered animal species part or product" means any item that
28 contains, or is wholly or partially made from, any covered animal
29 species.
- 30 (13) "Deleterious exotic wildlife" means species of the animal
31 kingdom not native to Washington and designated as dangerous to the
32 environment or wildlife of the state.
- 33 (14) "Department" means the department of fish and wildlife.
- 34 (15) "Director" means the director of fish and wildlife.
- 35 (16) "Distribute" or "distribution" means either a change in
36 possession for consideration or a change in legal ownership.
- 37 (17) "Endangered species" means wildlife designated by the
38 commission as seriously threatened with extinction.
- 39 (18) "Ex officio fish and wildlife officer" means:

1 (a) A commissioned officer of a municipal, county, or state
2 agency having as its primary function the enforcement of criminal
3 laws in general, while the officer is acting in the respective
4 jurisdiction of that agency;

5 (b) An officer or special agent commissioned by one of the
6 following: The national marine fisheries service; the Washington
7 state parks and recreation commission; the United States fish and
8 wildlife service; the Washington state department of natural
9 resources; the United States forest service; or the United States
10 parks service, if the agent or officer is in the respective
11 jurisdiction of the primary commissioning agency and is acting under
12 a mutual law enforcement assistance agreement between the department
13 and the primary commissioning agency;

14 (c) A commissioned fish and wildlife peace officer from another
15 state who meets the training standards set by the Washington state
16 criminal justice training commission pursuant to RCW 10.93.090,
17 43.101.080, and 43.101.200, and who is acting under a mutual law
18 enforcement assistance agreement between the department and the
19 primary commissioning agency; or

20 (d) A Washington state tribal police officer who successfully
21 completes the requirements set forth under RCW 43.101.157, is
22 employed by a tribal nation that has complied with RCW 10.92.020(2)
23 (a) and (b), and is acting under a mutual law enforcement assistance
24 agreement between the department and the tribal government.

25 (19) "Fish" includes all species classified as game fish or food
26 fish by statute or rule, as well as all finfish not currently
27 classified as food fish or game fish if such species exist in state
28 waters. The term "fish" includes all stages of development and the
29 bodily parts of fish species.

30 (20) "To fish" and its derivatives means an effort to kill,
31 injure, harass, harvest, or capture a fish or shellfish.

32 (21) "Fish and wildlife officer" means a person appointed and
33 commissioned by the director, with authority to enforce this title
34 and rules adopted pursuant to this title, and other statutes as
35 prescribed by the legislature. Fish and wildlife officer includes a
36 person commissioned before June 11, 1998, as a wildlife agent or a
37 fisheries patrol officer.

38 (22) "Fish broker" means a person who facilitates the sale or
39 purchase of raw or frozen fish or shellfish on a fee or commission
40 basis, without assuming title to the fish or shellfish.

1 (23) "Fish dealer" means a person who engages in any activity
2 that triggers the need to obtain a fish dealer license under RCW
3 77.65.280.

4 (24) "Fishery" means the taking of one or more particular species
5 of fish or shellfish with particular gear in a particular
6 geographical area.

7 (25) "Food, food waste, or other substance" includes human and
8 pet food or other waste or garbage that could attract large wild
9 carnivores.

10 (26) "Fresh water" means all waters not defined as salt water
11 including, but not limited to, rivers upstream of the river mouth,
12 lakes, ponds, and reservoirs.

13 (27) "Fur-bearing animals" means game animals that shall not be
14 trapped except as authorized by the commission.

15 (28) "Fur dealer" means a person who purchases, receives, or
16 resells raw furs for commercial purposes.

17 (29) "Game animals" means wild animals that shall not be hunted
18 except as authorized by the commission.

19 (30) "Game birds" means wild birds that shall not be hunted
20 except as authorized by the commission.

21 (31) "Game farm" means property on which wildlife is held,
22 confined, propagated, hatched, fed, or otherwise raised for
23 commercial purposes, trade, or gift. The term "game farm" does not
24 include publicly owned facilities.

25 (32) "Game reserve" means a closed area where hunting for all
26 wild animals and wild birds is prohibited.

27 (33) "To hunt" and its derivatives means an effort to kill,
28 injure, harass, harvest, or capture a wild animal or wild bird.

29 (34) "Illegal items" means those items unlawful to be possessed.

30 (35)(a) "Intentionally feed, attempt to feed, or attract" means
31 to purposefully or knowingly provide, leave, or place in, on, or
32 about any land or building any food, food waste, or other substance
33 that attracts or could attract large wild carnivores to that land or
34 building.

35 (b) "Intentionally feed, attempt to feed, or attract" does not
36 include keeping food, food waste, or other substance in an enclosed
37 garbage receptacle or other enclosed container unless specifically
38 directed by a fish and wildlife officer or animal control authority
39 to secure the receptacle or container in another manner.

40 (36) "Large wild carnivore" includes wild bear, cougar, and wolf.

1 (37) "License year" means the period of time for which a
2 recreational license is valid. The license year begins April 1st, and
3 ends March 31st.

4 (38) "Limited-entry license" means a license subject to a license
5 limitation program established in chapter 77.70 RCW.

6 (39) "Limited fish seller" means a licensed commercial fisher who
7 sells his or her fish or shellfish to anyone other than a wholesale
8 fish buyer thereby triggering the need to obtain a limited fish
9 seller endorsement under RCW 77.65.510.

10 (40) "Money" means all currency, script, personal checks, money
11 orders, or other negotiable instruments.

12 (41) "Natural person" means a human being.

13 (42)(a) "Negligently feed, attempt to feed, or attract" means to
14 provide, leave, or place in, on, or about any land or building any
15 food, food waste, or other substance that attracts or could attract
16 large wild carnivores to that land or building, without the awareness
17 that a reasonable person in the same situation would have with regard
18 to the likelihood that the food, food waste, or other substance could
19 attract large wild carnivores to the land or building.

20 (b) "Negligently feed, attempt to feed, or attract" does not
21 include keeping food, food waste, or other substance in an enclosed
22 garbage receptacle or other enclosed container unless specifically
23 directed by a fish and wildlife officer or animal control authority
24 to secure the receptacle or container in another manner.

25 (43) "Nonresident" means a person who has not fulfilled the
26 qualifications of a resident.

27 (44) "Offshore waters" means marine waters of the Pacific Ocean
28 outside the territorial boundaries of the state, including the marine
29 waters of other states and countries.

30 (45) "Open season" means those times, manners of taking, and
31 places or waters established by rule of the commission for the lawful
32 hunting, fishing, taking, or possession of game animals, game birds,
33 game fish, food fish, or shellfish that conform to the special
34 restrictions or physical descriptions established by rule of the
35 commission or that have otherwise been deemed legal to hunt, fish,
36 take, or possess by rule of the commission. "Open season" includes
37 the first and last days of the established time.

38 (46) "Owner" means the person in whom is vested the ownership
39 dominion, or title of the property.

1 (47) "Person" means and includes an individual; a corporation; a
2 public or private entity or organization; a local, state, or federal
3 agency; all business organizations, including corporations and
4 partnerships; or a group of two or more individuals acting with a
5 common purpose whether acting in an individual, representative, or
6 official capacity.

7 (48) "Personal property" or "property" includes both corporeal
8 and incorporeal personal property and includes, among other property,
9 contraband and money.

10 (49) "Personal use" means for the private use of the individual
11 taking the fish or shellfish and not for sale or barter.

12 (50) "Predatory birds" means wild birds that may be hunted
13 throughout the year as authorized by the commission.

14 (51) "To process" and its derivatives mean preparing or
15 preserving fish, wildlife, or shellfish.

16 (52) "Protected wildlife" means wildlife designated by the
17 commission that shall not be hunted or fished.

18 (53) "Raffle" means an activity in which tickets bearing an
19 individual number are sold for not more than twenty-five dollars each
20 and in which a permit or permits are awarded to hunt or for access to
21 hunt big game animals or wild turkeys on the basis of a drawing from
22 the tickets by the person or persons conducting the raffle.

23 (54) "Resident" has the same meaning as defined in RCW 77.08.075.

24 (55) "Salt water" means those marine waters seaward of river
25 mouths.

26 (56) "Seaweed" means marine aquatic plant species that are
27 dependent upon the marine aquatic or tidal environment, and exist in
28 either an attached or free floating form, and includes but is not
29 limited to marine aquatic plants in the classes Chlorophyta,
30 Phaeophyta, and Rhodophyta.

31 (57) "Senior" means a person seventy years old or older.

32 (58) "Shark fin" means a raw, dried, or otherwise processed
33 detached fin or tail of a shark.

34 (59)(a) "Shark fin derivative product" means any product intended
35 for use by humans or animals that is derived in whole or in part from
36 shark fins or shark fin cartilage.

37 (b) "Shark fin derivative product" does not include a drug
38 approved by the United States food and drug administration and
39 available by prescription only or medical device or vaccine approved
40 by the United States food and drug administration.

1 (60) "Shellfish" means those species of marine and freshwater
2 invertebrates that have been classified and that shall not be taken
3 or possessed except as authorized by rule of the commission. The term
4 "shellfish" includes all stages of development and the bodily parts
5 of shellfish species.

6 (61) "State waters" means all marine waters and fresh waters
7 within ordinary high water lines and within the territorial
8 boundaries of the state.

9 (62) "To take" and its derivatives means to kill, injure,
10 harvest, or capture a fish, shellfish, wild animal, bird, or seaweed.

11 (63) "Taxidermist" means a person who, for commercial purposes,
12 creates lifelike representations of fish and wildlife using fish and
13 wildlife parts and various supporting structures.

14 (64) "Trafficking" means offering, attempting to engage, or
15 engaging in sale, barter, or purchase of fish, shellfish, wildlife,
16 or deleterious exotic wildlife.

17 (65) "To trap" and its derivatives means a method of hunting
18 using devices to capture wild animals or wild birds.

19 (66) "Unclaimed" means that no owner of the property has been
20 identified or has requested, in writing, the release of the property
21 to themselves nor has the owner of the property designated an
22 individual to receive the property or paid the required postage to
23 effect delivery of the property.

24 (67) "Unclassified wildlife" means wildlife existing in
25 Washington in a wild state that have not been classified as big game,
26 game animals, game birds, predatory birds, protected wildlife,
27 endangered wildlife, or deleterious exotic wildlife.

28 (68) "To waste" or "to be wasted" means to allow any edible
29 portion of any game bird, food fish, game fish, shellfish, or big
30 game animal other than cougar to be rendered unfit for human
31 consumption, or to fail to retrieve edible portions of such a game
32 bird, food fish, game fish, shellfish, or big game animal other than
33 cougar from the field. For purposes of this chapter, edible portions
34 of game birds must include, at a minimum, the breast meat of those
35 birds. Entrails, including the heart and liver, of any wildlife
36 species are not considered edible.

37 (69) "Wholesale fish buyer" means a person who engages in any
38 fish buying or selling activity that triggers the need to obtain a
39 wholesale fish buyer endorsement under RCW 77.65.340.

1 (70) "Wild animals" means those species of the class Mammalia
2 whose members exist in Washington in a wild state. The term "wild
3 animal" does not include feral domestic mammals or old world rats and
4 mice of the family Muridae of the order Rodentia.

5 (71) "Wild birds" means those species of the class Aves whose
6 members exist in Washington in a wild state.

7 (72) "Wildlife" means all species of the animal kingdom whose
8 members exist in Washington in a wild state. This includes but is not
9 limited to mammals, birds, reptiles, amphibians, fish, and
10 invertebrates. The term "wildlife" does not include feral domestic
11 mammals, old world rats and mice of the family Muridae of the order
12 Rodentia, or those fish, shellfish, and marine invertebrates
13 classified as food fish or shellfish by the director. The term
14 "wildlife" includes all stages of development and the bodily parts of
15 wildlife members.

16 (73) "Wildlife meat cutter" means a person who packs, cuts,
17 processes, or stores wildlife for consumption for another for
18 commercial purposes.

19 (74) "Youth" means a person fifteen years old for fishing and
20 under sixteen years old for hunting.

21 (75) "Fishing guide" means a person who provides or offers to
22 provide sport fishing guide services to persons who are engaged in
23 personal use fisheries on or along state waters.

24 (76) "Sport fishing guide services" means an individual or
25 company providing assistance to a client to fish or to attempt to
26 fish, for compensation or with the intent to receive compensation, by
27 either accompanying or physically directing the client, or both, in
28 personal use fishing activities during any part of a trip on or along
29 state waters.

30 **Sec. 2.** RCW 77.15.160 and 2020 c 38 s 3 are each amended to read
31 as follows:

32 The following acts are infractions and may be cited and civil
33 penalties imposed as provided under chapter 7.84 RCW, to include
34 detentions for a reasonable period and investigations as provided in
35 RCW 7.84.030. The civil provisions of this section are cumulative and
36 nonexclusive and do not affect any criminal prosecution or
37 investigatory authority over criminal offenses:

38 (1) Fishing and shellfishing infractions:

1 (a) Barbed hooks: Fishing for personal use with barbed hooks in
2 violation of any department rule.

3 (b) Catch recording: Failing to immediately record a catch of
4 fish or shellfish on a catch record card as required by RCW 77.32.430
5 or department rule.

6 (c) Catch reporting: Failing to return a catch record card to the
7 department as required by department rule.

8 (d) (i) Recreational fishing: Fishing for fish or shellfish and
9 the person:

10 ~~((+i))~~ (A) Fails to have in the person's possession the license
11 or the catch record card required by chapter 77.32 RCW for such an
12 activity; or

13 ~~((+ii))~~ (B) Violates any department rule regarding seasons,
14 closed areas, closed times, or any other rule addressing the manner
15 or method of fishing for fish or shellfish and the violation
16 involves:

17 ~~((+A))~~ (I) Salmon or steelhead;

18 ~~((+B))~~ (II) Sturgeon;

19 ~~((+C))~~ (III) Game fish;

20 ~~((+D))~~ (IV) Food fish;

21 ~~((+E))~~ (V) Shellfish;

22 ~~((+F))~~ (VI) Unclassified fish or shellfish;

23 ~~((+G))~~ (VII) Waste of food fish, game fish or shellfish. ~~((This~~
24 ~~subsection (1)(d)(ii) does not apply to use of a net to take fish~~
25 ~~under RCW 77.15.580 or unlawful recreational fishing in the first~~
26 ~~degree under RCW 77.15.370.))~~

27 (ii) (d) (i) (B) of this subsection does not apply to use of a net
28 to take fish under RCW 77.15.580 or unlawful recreational fishing in
29 the first degree under RCW 77.15.370.

30 (e) Seaweed: Taking, possessing, or harvesting less than two
31 times the daily possession limit of seaweed:

32 (i) While the person is not in possession of the license required
33 by chapter 77.32 RCW; or

34 (ii) In violation of any rule of the department or the department
35 of natural resources regarding seasons, closed areas, closed times,
36 or any other rule addressing the manner or method of taking,
37 possessing, or harvesting of seaweed.

38 (2) ~~((Hunting))~~ Small game hunting infractions:

39 (a) A person engages in an activity defined by chapter 77.32 RCW
40 while not having in the person's possession or having failed to

1 purchase the hunting license or tag required by that chapter, not
2 including big game.

3 (b) Eggs or nests: Maliciously, and without permit authorization,
4 destroying, taking, or harming the eggs or active nests of a wild
5 bird not classified as endangered or protected. For purposes of this
6 subsection, "active nests" means nests that contain eggs or
7 fledglings.

8 (c) Hunting for wildlife not classified as big game and the
9 person violates any department rule regarding seasons, closed areas,
10 closed times, or any other rule defining the method or manner of
11 hunting or taking wildlife and the violation involves:

- 12 (i) Unclassified wildlife;
- 13 (ii) Small game;
- 14 (iii) Furbearers;
- 15 (iv) Game birds;
- 16 (v) Wild birds;
- 17 (vi) Wild animals;
- 18 (vii) Waste of small game.

19 (3) Trapping, taxidermy, fur dealing, and wildlife meat cutting
20 infractions:

21 (a) Recordkeeping and reporting: If a person is a taxidermist,
22 fur dealer, or wildlife meat cutter who is processing, holding, or
23 storing wildlife for commercial purposes, failing to:

- 24 (i) Maintain records as required by department rule; or
- 25 (ii) Report information from these records as required by
26 department rule.

27 (b) Trapper's report: Failing to report trapping activity as
28 required by department rule.

29 (4) Limited fish seller infraction: Failure of a holder of a
30 limited fish seller endorsement to satisfy the food safety
31 requirements to consumers under RCW 77.65.510(2).

32 (5)(a) Invasive species management infractions:

33 (i) Out-of-state certification: Entering Washington in possession
34 of an aquatic conveyance that does not meet certificate of inspection
35 requirements as provided under RCW 77.135.100;

36 (ii) Clean and drain requirements: Possessing an aquatic
37 conveyance that does not meet clean and drain requirements under RCW
38 77.135.110;

1 (iii) Clean and drain orders: Possessing an aquatic conveyance
2 and failing to obey a clean and drain order under RCW 77.135.110 or
3 77.135.120; and

4 (iv) Aquatic invasive species prevention permit requirements:
5 Failing to possess a valid aquatic invasive species prevention permit
6 as required under RCW 77.135.210, 77.135.220, or 77.135.230.

7 (b) Unless the context clearly requires otherwise, the
8 definitions in both RCW 77.08.010 and 77.135.010 apply throughout
9 this subsection (5).

10 (6) Big game hunting:

11 (a) A person hunts for big game while not having in the person's
12 possession the hunting license or tag required under this title.

13 (b) A person hunts for big game species of deer, elk, black bear,
14 or cougar and the person violates any department rule regarding
15 seasons, closed areas, closed times, or any other department rule
16 defining the method or manner of hunting or taking these big game
17 species. This subsection (6)(b) does not apply to protected,
18 threatened, or endangered big game as identified under RCW 77.12.020.

19 (c) A violation of this subsection carries a mandatory fine of
20 \$500, not including statutory assessments added pursuant to RCW
21 3.62.090.

22 (7) General hunting:

23 (a) A person carries, transports, conveys, possesses, or controls
24 a rifle or shotgun in a motor vehicle, except as allowed by
25 department rule, and the rifle or shotgun contains live shells or
26 cartridges in the attached or internal magazine.

27 (b) A person discharges a firearm from or across the maintained
28 portion of a public highway.

29 (c) A person fails to properly notch a transport tag as required
30 by department rule.

31 (8) Hydraulic activities:

32 (a) A person operates a motor vehicle as defined in RCW 46.04.320
33 in the wetted portion of a streambed other than at an established
34 ford.

35 (b) A person, in violation of a department rule, constructs by
36 hand, without the use of tools or equipment, a rock dam or similar
37 structure that could impede the movement of fish life, as defined by
38 department rule.

39 (9) Department licensed guides:

1 (a) Failing to display department registration stickers as
2 required by chapter 77.65 RCW or a department rule.

3 (b) Failing to initiate, complete, or submit guide logbooks as
4 required by department rule.

5 (10) Fishing guide or charter boat operator infractions:

6 (a) It is an infraction for a person who is licensed and acting
7 as a fishing guide or charter boat operator to:

8 (i) Aid in the commission of any infraction under subsection (1)
9 of this section by a client; or

10 (ii) Permit the commission of any infraction under subsection (1)
11 of this section by a client that the fishing guide or charter boat
12 operator knows or reasonably believes is being or will be committed
13 without:

14 (A) Attempting to prevent the infraction, short of using force;
15 and

16 (B) Reporting the infraction.

17 (b) A person acting as a fishing guide or charter boat operator
18 may be found to have committed an infraction under (a)(i) or (ii) of
19 this subsection regardless of whether the client was issued an
20 infraction for the underlying violation.

21 (11) Other infractions:

22 (a) Contests: Unlawfully conducting, holding, or sponsoring a
23 hunting contest, a fishing contest involving game fish, or a
24 competitive field trial using live wildlife.

25 (b) Other rules: Violating any other department rule that is
26 designated by rule as an infraction.

27 (c) Posting signs: Posting signs preventing hunting or fishing on
28 any land not owned or leased by the person doing the posting, or
29 without the permission of the person who owns, leases, or controls
30 the land posted.

31 (d) Department permits: Except as provided in RCW 77.15.750,
32 using a department permit issued by the department, and the person:

33 (i) Violates any terms or conditions of the permit;

34 (ii) Violates any department rule applicable to the issuance or
35 use of permits; or

36 (iii) Violates any commercial use or activity permits,
37 noncommercial use or activity permits, or parking permits.

38 (e) This subsection does not apply to discover pass, vehicle
39 access pass, or day-use permit requirements or penalties pursuant to
40 RCW 79A.80.080.

1 **Sec. 3.** RCW 77.15.260 and 2015 c 141 s 1 are each amended to
2 read as follows:

3 (1) A person is guilty of unlawful trafficking in fish,
4 shellfish, or wildlife in the second degree if the person traffics in
5 fish, shellfish, seaweed, or wildlife with a wholesale value of less
6 than (~~two hundred fifty dollars~~) \$250 and:

7 (a) The fish, shellfish, or wildlife is classified as game, food
8 fish, shellfish, game fish, or protected wildlife and the trafficking
9 is not authorized by statute or department rule; (~~or~~)

10 (b) The fish, shellfish, or wildlife is unclassified and the
11 trafficking violates any department rule; or

12 (c) The seaweed is trafficked in violation of any department
13 rule.

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

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

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

22 (b) For purposes of this subsection (2), whenever any series of
23 transactions that constitute unlawful trafficking would, when
24 considered separately, constitute unlawful trafficking in the second
25 degree due to the value of the fish, shellfish, or wildlife, and the
26 series of transactions are part of a common scheme or plan, then the
27 transactions may be aggregated in one count and the sum of the value
28 of all the transactions considered when determining the degree of
29 unlawful trafficking involved.

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

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

34 **Sec. 4.** RCW 77.15.290 and 2014 c 202 s 304 are each amended to
35 read as follows:

36 (1) A person is guilty of unlawful transportation of fish or
37 wildlife in the second degree if the person:

38 (a) Knowingly imports, moves within the state, or exports fish,
39 shellfish, or wildlife in violation of any department rule governing

1 the transportation or movement of fish, shellfish, or wildlife and
2 the transportation does not involve big game, endangered fish or
3 wildlife, deleterious exotic wildlife, or fish, shellfish, or
4 wildlife having a value greater than (~~two hundred fifty dollars~~)
5 \$250; or

6 (b) Possesses but fails to affix (~~or~~) and notch a big game
7 transport tag as required by department rule.

8 (2) A person is guilty of unlawful transportation of fish or
9 wildlife in the first degree if the person:

10 (a) Knowingly imports, moves within the state, or exports fish,
11 shellfish, or wildlife in violation of any department rule governing
12 the transportation or movement of fish, shellfish, or wildlife and
13 the transportation involves big game, endangered fish or wildlife,
14 deleterious exotic wildlife, or fish, shellfish, or wildlife with a
15 value of (~~two hundred fifty dollars~~) \$250 or more; or

16 (b) Knowingly transports shellfish, shellstock, or equipment used
17 in commercial culturing, taking, handling, or processing shellfish
18 without a permit required by authority of this title.

19 (3) (a) Unlawful transportation of fish or wildlife in the second
20 degree is a misdemeanor.

21 (b) Unlawful transportation of fish or wildlife in the first
22 degree is a gross misdemeanor.

23 (4) This section does not apply to invasive species.

24 **Sec. 5.** RCW 77.15.410 and 2012 c 176 s 26 are each amended to
25 read as follows:

26 (1) A person is guilty of unlawful hunting of big game in the
27 second degree if the person:

28 (~~(a) Hunts for (, takes, or possesses big game and the person does~~
29 ~~not have and possess all licenses, tags, or permits required under~~
30 ~~this title; or~~

31 ~~(b) Violates~~) big game and, whether or not the person takes or
32 possesses big game, the person has not purchased the appropriate
33 license, permit, or tags required under this title;

34 (b) Takes or possesses big game, but does not have in the
35 person's possession the licenses, tags, or permits required under
36 this title;

37 (c) Takes or possesses big game and violates any department rule
38 regarding seasons, bag or possession limits, closed areas including
39 game reserves, closed times, or any other rule governing the hunting,

1 taking, or possession of (~~big game~~) deer, elk, cougar, and black
2 bear;

3 (d) Hunts for big game and, whether or not the person takes or
4 possesses big game, the person does not have in the person's
5 possession the licenses, tags, or permits required under this title;
6 and the act occurs within two years of the date of a prior committed
7 finding of any big game hunting infraction under RCW 77.15.160(6); or

8 (e) Violates any department rule regarding seasons, bag or
9 possession limits, closed areas including game reserves, closed
10 times, or any other rule governing the hunting, taking, or possession
11 of big game species other than deer, elk, cougar, or black bear.

12 (2) A person is guilty of unlawful hunting of big game in the
13 first degree if the person commits the act described in subsection
14 (1) of this section and:

15 (a) The person hunts for, takes, or possesses three or more big
16 game animals within the same course of events; or

17 (b) The act occurs within five years of the date of a prior
18 conviction under this title involving unlawful hunting, killing,
19 possessing, or taking big game.

20 (3)(a) Unlawful hunting of big game in the second degree is a
21 gross misdemeanor. Upon conviction of an offense involving killing or
22 possession of big game taken during a closed season, closed area,
23 without the proper license, tag, or permit using an unlawful method,
24 or in excess of the bag or possession limit, the department shall
25 revoke all of the person's hunting licenses and tags and order a
26 suspension of the person's hunting privileges for two years. Courts
27 shall impose the mandatory penalty requirements of RCW 77.15.420.

28 (b) Unlawful hunting of big game in the first degree is a class C
29 felony. Upon conviction, the department shall revoke all of the
30 person's hunting licenses or tags and order the person's hunting
31 privileges suspended for (~~ten~~) 10 years. Courts shall impose the
32 mandatory penalty requirements of RCW 77.15.420.

33 (4) For the purposes of this section, "same course of events"
34 means within one (~~twenty-four~~) 72 hour period, or a (~~pattern of~~
35 ~~conduct composed~~) common scheme or plan of a series of acts that are
36 unlawful under subsection (1) of this section(~~, over a period of~~
37 ~~time evidencing a continuity of purpose~~)).

38 **Sec. 6.** RCW 77.15.460 and 2018 c 168 s 1 are each amended to
39 read as follows:

1 (1) A person is guilty of unlawful possession of a loaded rifle
2 or shotgun in a motor vehicle, as defined in RCW 46.04.320, or upon
3 an off-road vehicle, as defined in RCW 46.04.365, if:

4 (a) The person carries, transports, conveys, possesses, or
5 controls a rifle or shotgun in a motor vehicle, or upon an off-road
6 vehicle, except as allowed by department rule; and

7 (b) The rifle or shotgun contains (~~shells or cartridges~~) a
8 shell or cartridge in the (~~magazine or~~) chamber, or is a muzzle-
9 loading firearm that is loaded and capped or primed.

10 (2) A person is guilty of unlawful use of a loaded firearm if:

11 (a) The person negligently discharges a firearm from, across, or
12 along the maintained portion of a public highway; or

13 (b) The person discharges a firearm from within a moving motor
14 vehicle or from upon a moving off-road vehicle.

15 (3) Unlawful possession of a loaded rifle or shotgun in a motor
16 vehicle or upon an off-road vehicle, and unlawful use of a loaded
17 firearm are misdemeanors.

18 (4) This section does not apply if the person:

19 (a) Is a law enforcement officer who is authorized to carry a
20 firearm and is on duty within the officer's respective jurisdiction;

21 (b) Has been granted a disability designation as provided by RCW
22 77.32.237 and complies with all rules of the department concerning
23 hunting by persons with disabilities; or

24 (c) Discharges the rifle or shotgun from upon a nonmoving motor
25 vehicle, as long as the engine is turned off and the motor vehicle is
26 not parked on or beside the maintained portion of a public road,
27 except as authorized by the commission by rule. This subsection

28 (4)(c) does not apply to off-road vehicles, which are unlawful to use
29 for hunting under RCW 46.09.480, unless the person has a department
30 permit issued under RCW 77.32.237.

31 (5) For purposes of subsection (1) of this section, a rifle or
32 shotgun shall not be considered loaded if the detachable clip or
33 magazine is not inserted in or attached to the rifle or shotgun.

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