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HOUSE BILL 1046

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State of Washington

66th Legislature

2019 Regular Session

By Representative Appleton

Prefiled 12/12/18.

1 AN ACT Relating to prohibiting hunting with the aid of dogs for  
2 certain purposes; and amending RCW 77.15.245.

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

4 **Sec. 1.** RCW 77.15.245 and 2005 c 107 s 1 are each amended to  
5 read as follows:

6 (1) Notwithstanding the provisions of RCW 77.12.240,  
7 (~~77.36.020,~~) 77.36.030, or any other provisions of law, it is  
8 unlawful to take, hunt, or attract black bear with the aid of bait.

9 (a) Nothing in this subsection shall be construed to prohibit the  
10 killing of black bear with the aid of bait by employees or agents of  
11 county, state, or federal agencies while acting in their official  
12 capacities for the purpose of protecting livestock, domestic animals,  
13 private property, or the public safety.

14 (b) Nothing in this subsection shall be construed to prevent the  
15 establishment and operation of feeding stations for black bear in  
16 order to prevent damage to commercial timberland.

17 (c) Nothing in this subsection shall be construed to prohibit the  
18 director from issuing a permit or memorandum of understanding to a  
19 public agency, university, or scientific or educational institution  
20 for the use of bait to attract black bear for scientific purposes.

1 (d) As used in this subsection, "bait" means a substance placed,  
2 exposed, deposited, distributed, scattered, or otherwise used for the  
3 purpose of attracting black bears to an area where one or more  
4 persons hunt or intend to hunt them.

5 (2) Notwithstanding RCW 77.12.240, (~~77.36.020,~~) 77.36.030, or  
6 any other provisions of law, it is unlawful to hunt or pursue black  
7 bear, cougar, bobcat, or lynx with the aid of a dog or dogs.

8 ~~(a) ((Nothing in this subsection shall be construed to prohibit  
9 the killing of black bear, cougar, bobcat, or lynx with the aid of a  
10 dog or dogs by employees or agents of county, state, or federal  
11 agencies while acting in their official capacities for the purpose of  
12 protecting livestock, domestic animals, private property, or the  
13 public safety. A dog or dogs may be used by the owner or tenant of  
14 real property consistent with a permit issued and conditioned by the  
15 director.~~

16 ~~(b))~~ Nothing in this subsection shall be construed to prohibit  
17 the director from issuing a permit or memorandum of understanding to  
18 a public agency, university, or scientific or educational institution  
19 for the use of a dog or dogs for the pursuit, capture and relocation,  
20 of black bear, cougar, bobcat, or lynx for scientific purposes.

21 ~~((e))~~ (b) Nothing in this subsection shall be construed to  
22 prohibit the director from issuing a permit or memorandum of  
23 understanding to a public agency, university, or scientific or  
24 educational institution for the use of a dog or dogs for the killing  
25 of black bear, cougar, or bobcat, for the protection of a state  
26 and/or federally listed threatened or endangered species.

27 (3)(a) Notwithstanding subsection (2) of this section, the  
28 commission shall authorize the use of dogs only in selected areas  
29 within a game management unit to address a public safety need  
30 presented by one or more cougar. This authority may only be exercised  
31 after the commission has determined that no other practical  
32 alternative to the use of dogs exists, and after the commission has  
33 adopted rules describing the conditions in which dogs may be used.  
34 Conditions that may warrant the use of dogs within a game management  
35 unit include, but are not limited to, confirmed cougar/human safety  
36 incidents, confirmed cougar/livestock and cougar/pet depredations,  
37 and the number of cougar capture attempts and relocations.

38 (b) The department shall post on their internet web site the  
39 known details of all reported cougar/human, cougar/pet, or cougar/  
40 livestock interactions within ten days of receiving the report. The

1 posted material must include, but is not limited to, the location and  
2 time of all reported sightings, and the known details of any cougar/  
3 livestock incidents.

4 (4) A person who violates subsection (1) or (2) of this section  
5 is guilty of a gross misdemeanor. In addition to appropriate criminal  
6 penalties, the department shall revoke the hunting license of a  
7 person who violates subsection (1) or (2) of this section and order  
8 the suspension of wildlife hunting privileges for a period of five  
9 years following the revocation. Following a subsequent violation of  
10 subsection (1) or (2) of this section by the same person, a hunting  
11 license shall not be issued to the person at any time.

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