

**RCW 77.15.250 Unlawful release or possession of fish, shellfish, or wildlife—Penalty—Unlawful release of deleterious exotic wildlife—Penalty.** (1) (a) A person is guilty of unlawfully releasing, planting, possessing, or placing fish, shellfish, or wildlife if the person knowingly releases, plants, possesses, or places live fish, shellfish, wildlife, or aquatic plants within the state in violation of this title or rule of the department, and the fish, shellfish, or wildlife have not been classified as deleterious wildlife. This subsection does not apply to a release of game fish into private waters for which a game fish stocking permit has been obtained, or the planting of fish or shellfish by permit of the commission.

(b) A violation of this subsection is a gross misdemeanor. In addition, the department shall order the person to pay all costs the department incurred in capturing, killing, or controlling the fish, shellfish, aquatic plants, wildlife, or progeny unlawfully released, planted, possessed, or placed. This does not affect the existing authority of the department to bring a separate civil action to recover costs of capturing, killing, or controlling the fish, shellfish, aquatic plants, wildlife, or progeny unlawfully released, planted, possessed, or placed, or the costs of habitat restoration necessitated by the unlawful release, planting, possession, or placing.

(2) (a) A person is guilty of unlawfully releasing, planting, possessing, or placing deleterious exotic wildlife if the person knowingly releases, plants, possesses, or places live fish, shellfish, or wildlife within the state in violation of this title or rule of the department, and the fish, shellfish, or wildlife have been classified as deleterious exotic wildlife by rule of the commission.

(b) A violation of this subsection is a class C felony. In addition, the department shall order the person to pay all costs the department incurred in capturing, killing, or controlling the fish, shellfish, wildlife, or progeny unlawfully released, planted, possessed, or placed. This does not affect the existing authority of the department to bring a separate civil action to recover costs of capturing, killing, or controlling the fish, shellfish, wildlife, or progeny unlawfully released, planted, possessed, or placed, or the costs of habitat restoration necessitated by the unlawful release, planting, possession, or placing. [2014 c 48 s 12; 2001 c 253 s 32; 1998 c 190 s 31.]