

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5390

69th Legislature
2025 Regular Session

Passed by the Senate April 24, 2025
Yeas 27 Nays 21

President of the Senate

Passed by the House April 22, 2025
Yeas 52 Nays 46

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5390** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5390

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington

69th Legislature

2025 Regular Session

By Senate Ways & Means (originally sponsored by Senators Stanford and Nobles)

READ FIRST TIME 02/28/25.

1 AN ACT Relating to access to a recreation site or lands; amending
2 RCW 79A.80.020, 79A.80.090, 79A.80.080, and 79A.05.065; adding a new
3 section to chapter 79A.25 RCW; creating a new section; providing an
4 effective date; and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that both visitors
7 and residents of Washington state enjoy the opportunity to recreate
8 and experience the beauty of state-owned public lands, like state
9 parks. The legislature also finds that the costs to provide access to
10 these lands has been successfully supported by user-based recreation
11 fees and that the costs of continued support and access has outpaced
12 the revenue generated by fees. The discover pass and day-use permits
13 that are used to gain access to state-owned lands have been in place
14 since 2011, and the cost for the discover pass and permits has not
15 changed since then. However, the costs to maintain recreational
16 access have steadily increased. The original legislation anticipated
17 the potential need to consider adjustment in the cost of both the
18 discover pass and day-use permits. The legislature intends to
19 maintain recreational access for all by updating the cost of the
20 discover pass commensurate with the inflationary costs to carry out
21 state recreational programs.

Sec. 2. RCW 79A.80.020 and 2017 c 121 s 1 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, a discover pass is required for any motor vehicle to:

(a) Park at any recreation site or lands; or

(b) Operate on any recreation site or lands.

(2) Except as provided in RCW 79A.80.110, the cost of a discover pass is ~~((thirty-dollars))~~ \$45. Every four years the office of financial management must review the cost of the discover pass and, if necessary, recommend to the legislature an adjustment to the cost of the discover pass to account for inflation.

(3) A discover pass is valid for one year beginning from the date that the discover pass is marked for activation. The activation date may differ from the purchase date pursuant to any policies developed by the agencies.

(4) Sales of discover passes must be consistent with RCW 79A.80.100.

(5) The discover pass must contain space for two motor vehicle license plate numbers. A discover pass is valid only for those vehicle license plate numbers written on the pass. However, the agencies may offer for sale a family discover pass that is fully transferable among vehicles and does not require the placement of a license plate number on the pass to be valid. The agencies must collectively set a price for the sale of a family discover pass that is no more than ~~((fifty-dollars))~~ \$50. A discover pass is valid only for use with one motor vehicle at any one time.

(6)(a) One complimentary discover pass must be provided to a volunteer who performed ~~((twenty-four))~~ 24 hours of service on agency-sanctioned volunteer projects in a year. The agency must provide vouchers to volunteers identifying the number of volunteer hours they have provided for each project. The vouchers may be brought to an agency to be redeemed for a discover pass.

(b) Married spouses under chapter 26.04 RCW may present an agency with combined vouchers demonstrating the collective performance of ~~((twenty-four))~~ 24 hours of service on agency-sanctioned volunteer projects in a year to be redeemed for a single complimentary discover pass.

(7) A lifetime disabled veteran pass issued under RCW 79A.05.065(3) is the equivalent of a discover pass for purposes of

1 this chapter, as long as the person to whom the pass was issued is a
2 driver or passenger in the vehicle when accessing a site or lands.

3 **Sec. 3.** RCW 79A.80.090 and 2020 c 148 s 27 are each amended to
4 read as follows:

5 (1) The recreation access pass account is created in the state
6 treasury. All moneys received from the sale of discover passes and
7 day-use permits must be deposited into the account.

8 (2) Each fiscal biennium, the first (~~((seventy-one million~~
9 ~~dollars))~~ \$85,000,000 in revenue must be distributed to the agencies
10 in the following manner:

11 (a) Eight percent to the department of fish and wildlife and
12 deposited into the limited fish and wildlife account created in RCW
13 77.12.170(1);

14 (b) Eight percent to the department of natural resources and
15 deposited into the parkland trust revolving fund created in RCW
16 43.30.385;

17 (c) Eighty-four percent to the state parks and recreation
18 commission and deposited into the state parks renewal and stewardship
19 account created in RCW 79A.05.215;

20 (d) During the 2015-2017 fiscal biennium, expenditures from the
21 recreation access pass account may be used for Skamania county court
22 costs. During the 2015-2017 and 2017-2019 fiscal biennia,
23 expenditures from the recreation access pass account may be used for
24 the state parks and recreation commission, in partnership with the
25 departments of fish and wildlife and natural resources, to develop
26 options and recommendations to improve recreational access fee
27 systems.

28 (3) Each fiscal biennium, revenues in excess of (~~((seventy-one~~
29 ~~million dollars))~~ \$85,000,000 must be distributed equally among the
30 agencies to the accounts identified in subsection (2) of this
31 section.

32 **Sec. 4.** RCW 79A.80.080 and 2013 2nd sp.s. c 15 s 3 are each
33 amended to read as follows:

34 (1) A discover pass, vehicle access pass, lifetime disabled
35 veteran pass, or day-use permit must be visibly displayed in the
36 front windshield, or otherwise in a prominent location for motor
37 vehicles without a windshield, of any motor vehicle:

38 (a) Operating on any recreation site or lands; or

1 (b) Parking at any recreation site or lands.

2 (2) The discover pass, the vehicle access pass, lifetime disabled
3 veteran pass, or the day-use permit is not required:

4 (a) On private lands, state-owned aquatic lands other than water
5 access areas, or at agency offices, hatcheries, or other facilities
6 where public business is conducted;

7 (b) For persons who use, possess, or enter lands owned or managed
8 by the agencies for nonrecreational purposes consistent with a
9 written authorization from the agency, including but not limited to
10 leases, contracts, and easements;

11 (c) On department of fish and wildlife lands only, for persons
12 possessing a current vehicle access pass pursuant to RCW 79A.80.040;
13 ((~~or~~))

14 (d) When operating on a road managed by the department of natural
15 resources or the department of fish and wildlife, including a forest
16 or land management road, that is not blocked by a gate; or

17 (e) For motor vehicles used for off-road recreation that have
18 been transported to a recreation site or lands managed for off-road
19 recreation by another motor vehicle that: (i) Remains parked at the
20 recreation site or lands; and (ii) displays a pass or permit
21 consistent with the requirements of this chapter.

22 (3) (a) An agency may waive the requirements of this section for
23 any person who has secured the ability to access specific
24 recreational land through the provision of monetary consideration to
25 the agency or for any person attending an event or function that
26 required the provision of monetary compensation to the agency.

27 (b) Special events and group activities are core recreational
28 activities and major public service opportunities within state parks.
29 When waiving the requirements of this section for special events, the
30 state parks and recreation commission must consider the direct and
31 indirect costs and benefits to the state, local market rental rates,
32 the public service functions of the event sponsor, and other public
33 interest factors when setting appropriate fees for each event or
34 activity.

35 (4) Failure to comply with subsection (1) of this section is a
36 natural resource infraction under chapter 7.84 RCW. An agency is
37 authorized to issue a notice of infraction to any person who fails to
38 comply with subsection (1)(a) of this section or to any motor vehicle
39 that fails to comply with subsection (1)(b) of this section.

(5) The penalty for failure to comply with the requirements of this section is ~~((ninety-nine dollars))~~ \$99. This penalty must be reduced to ~~((fifty-nine dollars))~~ \$59 if an individual provides, within 15 days after the issuance of the notice of violation, proof of purchase of a discover pass to the court ~~((within fifteen days after the issuance of the notice of violation))~~ or evidence that the individual has obtained a lifetime disabled veteran pass under RCW 79A.05.065(3).

Sec. 5. RCW 79A.05.065 and 2011 c 171 s 115 are each amended to read as follows:

(1)(a) The commission shall grant to any person who meets the eligibility requirements specified in this section a senior citizen's pass which shall: (i) Entitle such a person, and members of his or her camping unit, to a ~~((fifty))~~ 50 percent reduction in the campsite rental fee prescribed by the commission; and (ii) entitle such a person to free admission to any state park.

(b) The commission shall grant a senior citizen's pass to any person who applies for the senior citizen's pass and who meets the following requirements:

(i) The person is at least ~~((sixty-two))~~ 62 years of age;

(ii) The person is a domiciliary of the state of Washington and meets reasonable residency requirements prescribed by the commission; and

(iii) The person and his or her spouse have a combined income that would qualify the person for a property tax exemption pursuant to RCW 84.36.381. The financial eligibility requirements of this subsection (1)(b)(iii) apply regardless of whether the applicant for a senior citizen's pass owns taxable property or has obtained or applied for such property tax exemption.

(c) Each senior citizen's pass granted pursuant to this section is valid as long as the senior citizen meets the requirements of (b)(ii) of this subsection. A senior citizen meeting the eligibility requirements of this section may make a voluntary donation for the upkeep and maintenance of state parks.

(d) A holder of a senior citizen's pass shall surrender the pass upon request of a commission employee when the employee has reason to believe the holder fails to meet the criteria in (b) of this subsection. The holder shall have the pass returned upon providing

1 proof to the satisfaction of the director that the holder meets the
2 eligibility criteria for obtaining the senior citizen's pass.

3 (2)(a) Any resident of Washington who is disabled as defined by
4 the social security administration and who receives social security
5 benefits for that disability, or any other benefits for that
6 disability from any other governmental or nongovernmental source, or
7 who is entitled to benefits for permanent disability under RCW
8 71A.10.020(~~((3))~~) (6) due to unemployability full time at the minimum
9 wage, or who is legally blind or profoundly deaf, or who has been
10 issued a card, decal, or special license plate for a permanent
11 disability under RCW 46.19.010 shall be entitled to receive,
12 regardless of age and upon making application therefor, a disability
13 pass at no cost to the holder. The pass shall: (i) Entitle such a
14 person, and members of his or her camping unit, to a (~~((fifty))~~) 50
15 percent reduction in the campsite rental fee prescribed by the
16 commission; and (ii) entitle such a person to free admission to any
17 state park.

18 (b) A card, decal, or special license plate issued for a
19 permanent disability under RCW 46.19.010 may serve as a pass for the
20 holder to entitle that person and members of the person's camping
21 unit to a (~~((fifty))~~) 50 percent reduction in the campsite rental fee
22 prescribed by the commission, and to allow the holder free admission
23 to state parks.

24 (3) Any resident of Washington who is a veteran and has a
25 service-connected disability of at least (~~((thirty))~~) 30 percent shall
26 be entitled to receive a lifetime (~~((veteran's disability))~~) disabled
27 veteran pass at no cost to the holder. The pass shall: (a) Entitle
28 such a person, and members of his or her camping unit, to free use of
29 any campsite within any state park; and (b) entitle such a person to
30 free admission to any state (~~((park; and (c) entitle such a person to~~
31 ~~an exemption from any reservation fees))~~) recreation site or lands, as
32 defined in RCW 79A.80.010. A lifetime disabled veteran pass entitles
33 the holder to all of the benefits of a discover pass under chapter
34 79A.80 RCW.

35 (4)(a) Any Washington state resident who provides out-of-home
36 care to a child, as either a licensed foster family home or a person
37 related to the child, is entitled to a foster home pass.

38 (b) An applicant for a foster home pass must request a pass in
39 the manner required by the commission. Upon receipt of a properly
40 submitted request, the commission shall verify with the department of

1 social and health services that the applicant qualifies under (a) of
2 this subsection. Once issued, a foster home pass is valid for the
3 period, which may not be less than one year, designated by the
4 commission.

5 (c) When accompanied by a child receiving out-of-home care from
6 the pass holder, a foster home pass: (i) Entitles such a person, and
7 members of his or her camping unit, to free use of any campsite
8 within any state park; and (ii) entitles such a person to free
9 admission to any state park.

10 (d) For the purposes of this subsection (4):

11 (i) "Out-of-home care" means placement in a foster family home or
12 with a person related to the child under the authority of chapter
13 13.32A, 13.34, or 74.13 RCW;

14 (ii) "Foster family home" has the same meaning as defined in RCW
15 74.15.020; and

16 (iii) "Person related to the child" means those persons referred
17 to in RCW 74.15.020(2)(a) (i) through (vi).

18 (5) All passes issued pursuant to this section are valid at all
19 parks any time during the year. However, the pass is not valid for
20 admission to concessionaire operated facilities.

21 (6) The commission shall negotiate payment and costs, to allow
22 holders of a foster home pass free access and usage of park
23 campsites, with the following nonoperated, nonstate-owned parks:
24 Central Ferry, Chief Timothy, Crow Butte, and Lyons Ferry. The
25 commission shall seek state general fund reimbursement on a biennial
26 basis.

27 (7) The commission may deny or revoke any Washington state park
28 pass issued under this section at any time for cause, including but
29 not limited to the following:

30 (a) Residency outside the state of Washington;

31 (b) Violation of laws or state park rules resulting in eviction
32 from a state park;

33 (c) Intimidating, obstructing, or assaulting a park employee or
34 park volunteer who is engaged in the performance of official duties;

35 (d) Fraudulent use of a pass;

36 (e) Providing false information or documentation in the
37 application for a state parks pass;

38 (f) Refusing to display or show the pass to park employees when
39 requested; or

1 (g) Failing to provide current eligibility information upon
2 request by the agency or when eligibility ceases or changes.

3 (8) This section shall not affect or otherwise impair the power
4 of the commission to continue or discontinue any other programs it
5 has adopted for senior citizens.

6 (9) The commission may engage in a mutually agreed upon
7 reciprocal or discounted program for all or specific pass programs
8 with other outdoor recreation agencies.

9 (10) The commission shall adopt those rules as it finds
10 appropriate for the administration of this section. Among other
11 things, the rules shall prescribe a definition of "camping unit"
12 which will authorize a reasonable number of persons traveling with
13 the person having a pass to stay at the campsite rented by such a
14 person, a minimum Washington residency requirement for applicants for
15 a senior citizen's pass, and an application form to be completed by
16 applicants for a senior citizen's pass.

17 NEW SECTION. **Sec. 6.** A new section is added to chapter 79A.25
18 RCW to read as follows:

19 (1) The office shall convene a work group to review how
20 recreation and park functions are currently funded for the state
21 parks and recreation commission, the department of fish and wildlife,
22 and the department of natural resources. The work group must consist
23 of:

24 (a) A member from each of the state parks and recreation
25 commission, the department of fish and wildlife, and the department
26 of natural resources;

27 (b) Two members and two alternates from the senate, with one
28 member and one alternate appointed from each of the two largest
29 caucuses in the senate by the president of the senate; and

30 (c) Two members and two alternates from the house of
31 representatives, with one member and one alternate appointed from
32 each of the two largest caucuses in the house of representatives by
33 the speaker of the house of representatives.

34 (2) The work group shall confer with tribal governments as part
35 of the analysis and may engage with the Washington state institute
36 for public policy and a broad range of stakeholders, including
37 representatives from nonmotorized and motorized recreation, the
38 outdoor recreation industry, hunters and anglers, friends or affinity

1 groups, outdoor equity organizations, environmental education, and
2 other relevant public agencies or private entities.

3 (3) The work group must identify and assess the distinct funding
4 structures, needs, and challenges of each agency as it relates to
5 recreation and park functions. The group shall explore long-term
6 funding strategies that ensure stable and adequate support for each
7 agency's mission and responsibilities, including strategies
8 identified in previously completed reports, where applicable.

9 (4) Prior to December 1, 2026, the work group must submit a
10 report of the group's findings and recommendations to the appropriate
11 committees of the legislature, the office of financial management,
12 and the governor's office.

13 (5) The legislative members of the work group shall serve without
14 compensation or remuneration.

15 (6) This section expires June 30, 2027.

16 NEW SECTION. **Sec. 7.** Sections 1 through 5 of this act take
17 effect October 1, 2025.

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