

RCW 77.12.115 Collaboration with volunteer and nonprofit organizations. (1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Nonprofit organization" means any:

(i) Organization described in section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)) and exempt from tax under section 501(a) of the internal revenue code; or

(ii) Not-for-profit organization that is organized and conducted for public benefit and operated primarily for charitable, civic, educational, religious, welfare, or health purposes.

(b) (i) "Volunteer" or "volunteer organization" means an individual or entity performing services for a nonprofit organization or a governmental entity who does not receive compensation, other than reasonable reimbursement or allowances for expenses actually incurred, or any other thing of value, in excess of \$500 per year.

(ii) "Volunteer" includes a volunteer serving as a director, officer, trustee, or direct service volunteer.

(2) The director is authorized to enter into those contracts, agreements, or other arrangements as are necessary to collaborate with volunteer organizations and nonprofit organizations to maintain, protect, and enhance department lands including, but not limited to, entering into:

(a) Agreements with nonprofit organizations and volunteer organizations for work; and

(b) Master agreements with nonprofit organizations and volunteer organizations, allowing for the issuing of work orders as needed pursuant to the terms of those master agreements.

(3) Agreements under this section are limited to a duration of five years and work valued at less than \$250,000 per year.

(4) The requirements of chapter 39.04 RCW do not apply to contracts, agreements, or other arrangements between the department and nonprofit organizations, volunteers, and volunteer organizations, for the purposes set forth in this section.

(5) Whenever volunteers or volunteer organizations are authorized to perform activities or carry out projects under this section or agreements entered into pursuant to this section, the volunteers or members of the volunteer organization may not be considered employees or agents of the department and the department is not subject to any liability whatsoever arising out of volunteer activities or projects. The liability of the department to volunteers and members of the volunteer organizations is limited in the same manner as provided for in RCW 4.24.210.

(6) (a) Nothing in this section shall diminish the responsibility of the department to protect the resources and access guaranteed to federally recognized Indian tribes in certain treaties made with the United States.

(b) Nothing in this section shall alter, diminish, or expand the rights of any federally recognized Indian tribe with treaty reserved rights. [2024 c 160 s 1.]