1202-S2 AMH GRAH ADAM 472

**2SHB 1202** - H AMD **249**

By Representative Graham

 On page 3, line 9, after "employer" insert "and the state of Washington"

 On page 3, line 12, after "employment" insert ", except that if the unlawful conduct causing the injury was the result of a state law, rule, ruling, training, or regulation, including the results of binding arbitration, or any state failure to act that could have prevented or mitigated the injury, the employer shall not be vicariously liable and the state of Washington shall be vicariously liable"

 On page 3, line 21, after "employer" insert ", except that if the regulation, practice, procedure, policy, or training was a result of any state law, rule, ruling, training, or regulation, including the results of binding arbitration, the employer shall not be independently liable and the state of Washington shall be independently liable for the injury"

 On page 3, line 25, after "officer" insert ", except that if the employer’s failure to use reasonable care in hiring, training, retaining, supervising, or disciplining the peace officer was a result of any state law, rule, ruling, training, or regulation, including the results of binding arbitration, the employer shall not be independently liable and the state of Washington shall be independently liable for the injury"

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|  |  EFFECT:   Provides that a plaintiff may also name the state of Washington in an action against a police officer. Provides that the state, rather than the employer, is vicariously liable for the injuries where the conduct causing the injury, was the result of a state law, rule, ruling, training, or regulation, including the results of binding arbitration, or any state failure to act that could have prevented or mitigated the injury. Provides that the state, rather than the employer, is independently liable where the employer's regulation, practice, procedure, policy, or training, or the employer's negligence in hiring, training, retaining, supervising, or disciplining the officer, was the result of any state law, rule, ruling, training, or regulation, including the results of binding arbitration. |

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