

# FINAL BILL REPORT

## ESHB 1360

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C 375 L 97

Synopsis as Enacted

**Brief Description:** Allowing state patrol officers to engage in private employment.

**Sponsors:** By House Committee on Government Administration (originally sponsored by Representatives K. Schmidt, Scott, Zellinsky and Schoesler).

### House Committee on Government Administration Senate Committee on Government Operations

**Background:** No state employee or officer may use any person, money, or property under his or her official control or direction for private benefit or gain by the employee, officer, or any other person. An ethics board may adopt rules to allow occasional exceptions to this prohibition.

There is no express authority for, or prohibition against, Washington State Patrol officers engaging in off-duty law enforcement employment for private benefit.

**Summary:** Washington State Patrol officers may engage in private law enforcement off-duty employment, in uniform, for private benefit, under guidelines adopted by the chief of the state patrol. Use of their uniforms will be considered a de minimus use of state property.

The state is immune from liability for actions taken by Washington State Patrol officers while the officers are engaged in private law enforcement off-duty employment. If a person attempts to sue the state for such actions, that suit must be dismissed. State patrol officers engaged in private law enforcement off-duty employment must inform their private employers in writing that the state is immune from liability for tortious conduct by state patrol officers when they are on duty at such private jobs.

### Votes on Final Passage:

House 95 0

Senate 29 17 (Senate amended)

House 89 0 (House concurred)

**Effective:** July 27, 1997