CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1089**

Chapter 319, Laws of 2021

67th Legislature

2021 Regular Session

PEACE OFFICERS AND LAW ENFORCEMENT AGENCIES—COMPLIANCE AUDITS

EFFECTIVE DATE: July 25, 2021

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| Passed by the House April 12, 2021  Yeas 69 Nays 29  LAURIE JINKINS  **Speaker of the House of Representatives**  Passed by the Senate April 7, 2021  Yeas 42 Nays 7  DENNY HECK  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1089** as passed by the House of Representatives and the Senate on the dates hereon set forth.  BERNARD DEAN  Chief Clerk |
| Approved May 18, 2021 11:42 AM | May 18, 2021 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1089**

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AS AMENDED BY THE SENATE

Passed Legislature - 2021 Regular Session

**State of Washington 67th Legislature 2021 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Ramos, Goodman, Leavitt, Slatter, Wylie, Bateman, Berry, Dolan, Ramel, Ortiz-Self, Senn, Peterson, Gregerson, Ryu, Valdez, Callan, Kloba, Hackney, Chopp, Duerr, Ormsby, Taylor, Bronoske, Fey, Lekanoff, Santos, Macri, J. Johnson, Frame, Orwall, and Pollet)

AN ACT Relating to compliance audits of requirements relating to peace officers and law enforcement agencies; adding new sections to chapter 43.101 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

(1) The office of the Washington state auditor is authorized to conduct a process compliance audit procedure and review of any deadly force investigation conducted pursuant to RCW 10.114.011. At the conclusion of every deadly force investigation, the state auditor shall determine whether the actions of the involved law enforcement agency, investigative body, and prosecutor's office are in compliance with RCW 10.114.011, chapter 43.--- RCW (the new chapter created in section 601 of Engrossed Substitute House Bill No. 1267), and all rules adopted pursuant to these provisions for the investigation and reporting of incidents involving the use of deadly force. A deadly force investigation is concluded once the involved prosecutor's office makes a charging decision and any resulting criminal case reaches disposition. Audit procedures under this section shall be conducted in cooperation with the commission.

(2) The state auditor may not conduct an audit under this section until adequately staffed with subject matter expertise regarding law enforcement and investigative audits. Until that time, the state auditor shall contract with persons with the appropriate subject matter expertise and shall issue a request for proposal for contracting with a person or entity to provide adequate subject matter expertise.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

Upon the request of the commission, the office of the Washington state auditor is authorized to conduct an audit procedure on any law enforcement agency to ensure the agency is in compliance with all laws, policies, and procedures governing the training and certification of peace officers employed by the agency. A copy of any completed audit must be sent to the commission, law enforcement agency, city or county council, county prosecutor, and relevant committees of the legislature.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

A law enforcement agency shall not pay any costs or fees for an audit conducted pursuant to section 1 or 2 of this act.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2021, in the omnibus appropriations act, this act is null and void.

**--- END ---**

Passed by the House April 12, 2021.

Passed by the Senate April 7, 2021.

Approved by the Governor May 18, 2021.

Filed in Office of Secretary of State May 18, 2021.