

2SHB 1202 - H AMD 249

By Representative Graham

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

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

11
12 On page 3, line 21, after "employer" insert ", except that if the
13 regulation, practice, procedure, policy, or training was a result of
14 any state law, rule, ruling, training, or regulation, including the
15 results of binding arbitration, the employer shall not be
16 independently liable and the state of Washington shall be
17 independently liable for the injury"

18
19 On page 3, line 25, after "officer" insert ", except that if the
20 employer's failure to use reasonable care in hiring, training,
21 retaining, supervising, or disciplining the peace officer was a result
22 of any state law, rule, ruling, training, or regulation, including the
23 results of binding arbitration, the employer shall not be
24 independently liable and the state of Washington shall be
25 independently liable for the injury"

26
27

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.

--- END ---