

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

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**

Approved May 18, 2021 11:42 AM

JAY INSLEE

**Governor of the State of Washington**

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**

FILED

May 18, 2021

**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, Slatte, 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)

READ FIRST TIME 02/09/21.

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

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

5            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 43.101  
6 RCW to read as follows:

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

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

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101  
9 RCW to read as follows:

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

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101  
19 RCW to read as follows:

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

22 NEW SECTION. **Sec. 4.** If specific funding for the purposes of  
23 this act, referencing this act by bill or chapter number, is not  
24 provided by June 30, 2021, in the omnibus appropriations act, this  
25 act is null and void.

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.

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