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**HOUSE BILL 1635**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Representatives Mosbrucker, Walsh, and Eslick

AN ACT Relating to limiting liability arising from the use of trained police dogs; and adding a new section to chapter 43.101 RCW.

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) By December 1, 2024, the commission shall develop model standards for the training and certification of canine teams to detect fentanyl. When developing the model standards, the commission shall consult with experts including public and private organizations that train canines to imprint on controlled substances, law enforcement or correctional agencies that use canines to detect controlled substances, and experts on the training of canines for use by law enforcement.

(2) Beginning January 1, 2025, a state or local government, law enforcement agency, or any employee of a state or local government or law enforcement agency is immune from civil damages arising from the use of a canine to detect fentanyl if:

(a) The canine is trained and certified pursuant to the model standards adopted under subsection (1) of this section;

(b) The canine is being handled by a peace officer acting within the scope of his or her employment or duties; and

(c) The damages do not arise from gross negligence or willful or wanton misconduct.

**--- END ---**