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**SENATE BILL 5382**

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

**By** Senators MacEwen, Dozier, Frame, Holy, Hunt, Keiser, Rolfes, Shewmake, J. Wilson, and L. Wilson

AN ACT Relating to off-duty employment of fish and wildlife officers; adding a new section to chapter 77.15 RCW; and adding a new section to chapter 4.92 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 77.15 RCW to read as follows:

Department of fish and wildlife officers may engage in private law enforcement off-duty employment for private benefit. The department of fish and wildlife shall support officer engagement in private law enforcement off-duty employment. The chief of fish and wildlife enforcement shall adopt guidelines that ensure that the integrity and professionalism of the department of fish and wildlife is preserved when officers choose to engage in off-duty employment. Use of department of fish and wildlife officer's uniforms shall be considered de minimis use of state property when consistent with department of licensing regulations in RCW 18.170.160 (6) and (7).

NEW SECTION. **Sec.**  A new section is added to chapter 4.92 RCW to read as follows:

(1) The state is not liable for tortious conduct by department of fish and wildlife officers that occurs while such officers are engaged in private law enforcement off-duty employment.

(2) Upon petition of the state any suit, for which immunity is granted to the state under subsection (1) of this section, shall be dismissed.

(3) Department of fish and wildlife officers engaged in private law enforcement off-duty employment shall notify, in writing, prior to such employment, anyone who employs department of fish and wildlife officers in private off-duty employment of the specific provisions of subsections (1) and (2) of this section.

**--- END ---**