CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE HOUSE BILL 1369**

Chapter 250, Laws of 2023

68th Legislature

2023 Regular Session

FISH AND WILDLIFE OFFICERS—OFF-DUTY EMPLOYMENT

EFFECTIVE DATE: July 23, 2023

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| Passed by the House April 13, 2023  Yeas 96 Nays 0  LAURIE JINKINS  **Speaker of the House of Representatives**  Passed by the Senate April 11, 2023  Yeas 49 Nays 0  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 SUBSTITUTE HOUSE BILL 1369** as passed by the House of Representatives and the Senate on the dates hereon set forth.  BERNARD DEAN  Chief Clerk |
| Approved May 4, 2023 10:24 AM | May 4, 2023 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**ENGROSSED SUBSTITUTE HOUSE BILL 1369**

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AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

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

**By** House Community Safety, Justice, & Reentry (originally sponsored by Representatives Griffey, Bronoske, Riccelli, Maycumber, Couture, Abbarno, Volz, Barkis, Christian, and Leavitt)

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:

Washington fish and wildlife officers may engage in private law enforcement off-duty employment, in uniform or in plainclothes for private benefit, subject to guidelines adopted by the chief of fish and wildlife enforcement. These guidelines must ensure that the integrity and professionalism of the Washington fish and wildlife enforcement is preserved. Use of Washington fish and wildlife officer's uniforms shall be considered de minimis use of state property. For any employment authorized under this section that occurs on reservation, trust, or allotted lands of a federally-recognized Indian tribe, a Washington fish and wildlife officer must have taken the violence de-escalation and mental health training provided by the criminal justice training commission, including the curriculum of the history of police interactions with Native American communities; and the private employer must have obtained permission from the affected federally recognized Indian tribe.

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.

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Passed by the House April 13, 2023.

Passed by the Senate April 11, 2023.

Approved by the Governor May 4, 2023.

Filed in Office of Secretary of State May 4, 2023.