
SUBSTITUTE SENATE BILL 5382

State of Washington

68th Legislature

2023 Regular Session

By Senate Law & Justice (originally sponsored by Senators MacEwen, Dozier, Frame, Holy, Hunt, Keiser, Rolfes, Shewmake, J. Wilson, and L. Wilson)

READ FIRST TIME 02/10/23.

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

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.15
6 RCW to read as follows:

7 Washington fish and wildlife officers may engage in private law
8 enforcement off-duty employment, in uniform or in plainclothes for
9 private benefit, subject to guidelines adopted by the chief of fish
10 and wildlife enforcement. These guidelines must ensure that the
11 integrity and professionalism of the Washington fish and wildlife
12 enforcement is preserved. Use of Washington fish and wildlife
13 officer's uniforms shall be considered de minimis use of state
14 property.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 4.92 RCW
16 to read as follows:

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

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

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

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