

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5785**

68th Legislature  
2024 Regular Session

Passed by the Senate March 4, 2024  
Yeas 48 Nays 0

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**President of the Senate**

Passed by the House February 27, 2024  
Yeas 95 Nays 0

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**Speaker of the House of  
Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5785** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5785**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

**State of Washington                      68th Legislature                      2024 Regular Session**

**By** Senate Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Warnick, Shewmake, Liiias, Mullet, Nobles, Saldaña, and Van De Wege; by request of Department of Fish and Wildlife)

READ FIRST TIME 01/19/24.

1            AN ACT Relating to department of fish and wildlife authority with  
2 regard to certain nonprofit and volunteer organizations; and adding a  
3 new section to chapter 77.12 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 77.12  
6 RCW to read as follows:

7            (1) The definitions in this subsection apply throughout this  
8 section unless the context clearly requires otherwise.

9            (a) "Nonprofit organization" means any:

10            (i) Organization described in section 501(c)(3) of the internal  
11 revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)) and exempt from tax  
12 under section 501(a) of the internal revenue code; or

13            (ii) Not-for-profit organization that is organized and conducted  
14 for public benefit and operated primarily for charitable, civic,  
15 educational, religious, welfare, or health purposes.

16            (b) (i) "Volunteer" or "volunteer organization" means an  
17 individual or entity performing services for a nonprofit organization  
18 or a governmental entity who does not receive compensation, other  
19 than reasonable reimbursement or allowances for expenses actually  
20 incurred, or any other thing of value, in excess of \$500 per year.

1 (ii) "Volunteer" includes a volunteer serving as a director,  
2 officer, trustee, or direct service volunteer.

3 (2) The director is authorized to enter into those contracts,  
4 agreements, or other arrangements as are necessary to collaborate  
5 with volunteer organizations and nonprofit organizations to maintain,  
6 protect, and enhance department lands including, but not limited to,  
7 entering into:

8 (a) Agreements with nonprofit organizations and volunteer  
9 organizations for work; and

10 (b) Master agreements with nonprofit organizations and volunteer  
11 organizations, allowing for the issuing of work orders as needed  
12 pursuant to the terms of those master agreements.

13 (3) Agreements under this section are limited to a duration of  
14 five years and work valued at less than \$250,000 per year.

15 (4) The requirements of chapter 39.04 RCW do not apply to  
16 contracts, agreements, or other arrangements between the department  
17 and nonprofit organizations, volunteers, and volunteer organizations,  
18 for the purposes set forth in this section.

19 (5) Whenever volunteers or volunteer organizations are authorized  
20 to perform activities or carry out projects under this section or  
21 agreements entered into pursuant to this section, the volunteers or  
22 members of the volunteer organization may not be considered employees  
23 or agents of the department and the department is not subject to any  
24 liability whatsoever arising out of volunteer activities or projects.  
25 The liability of the department to volunteers and members of the  
26 volunteer organizations is limited in the same manner as provided for  
27 in RCW 4.24.210.

28 (6) (a) Nothing in this section shall diminish the responsibility  
29 of the department to protect the resources and access guaranteed to  
30 federally recognized Indian tribes in certain treaties made with the  
31 United States.

32 (b) Nothing in this section shall alter, diminish, or expand the  
33 rights of any federally recognized Indian tribe with treaty reserved  
34 rights.

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