

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

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**

Approved May 4, 2023 10:24 AM

JAY INSLEE

**Governor of the State of Washington**

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**

FILED

May 4, 2023

**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)

READ FIRST TIME 02/13/23.

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. For any employment authorized under this section that  
15 occurs on reservation, trust, or allotted lands of a federally-  
16 recognized Indian tribe, a Washington fish and wildlife officer must  
17 have taken the violence de-escalation and mental health training  
18 provided by the criminal justice training commission, including the  
19 curriculum of the history of police interactions with Native American  
20 communities; and the private employer must have obtained permission  
21 from the affected federally recognized Indian tribe.

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

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

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

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

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.

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