

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1635

Chapter 305, Laws of 2024

68th Legislature
2024 Regular Session

POLICE DOGS—FENTANYL DETECTION TRAINING AND CIVIL LIABILITY

EFFECTIVE DATE: June 6, 2024

Passed by the House March 5, 2024
Yeas 96 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate February 29,
2024
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Approved March 26, 2024 2:01 PM

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1635** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 27, 2024

JAY INSLEE

Governor of the State of Washington

**Secretary of State
State of Washington**

HOUSE BILL 1635

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

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

By Representatives Mosbrucker, Walsh, and Eslick

Read first time 01/27/23. Referred to Committee on Community Safety, Justice, & Reentry.

1 AN ACT Relating to limiting liability arising from the use of
2 trained police dogs; amending RCW 4.24.410; and adding a new section
3 to chapter 43.101 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 43.101
6 RCW to read as follows:

7 By July 1, 2025, the commission shall develop model standards for
8 the training and certification of canine teams to detect fentanyl.
9 When developing the model standards, the commission shall consult
10 with:

11 (1) Experts including public and private organizations that train
12 canines to imprint on controlled substances;

13 (2) Law enforcement or correctional agencies that use canines to
14 detect controlled substances;

15 (3) Experts on the training of canines for use by law
16 enforcement; and

17 (4) Licensed medical professionals and veterinarians, to the
18 extent reasonably available, with expertise in: (a) Developing and
19 implementing protocols to minimize exposure of canines and their
20 handlers to opioids and their derivatives, including fentanyl and its
21 derivatives; (b) detecting clinical signs of such exposure; and (c)

1 intervening with timely and appropriate medical and veterinary
2 medical treatment in the field, during stabilization and transport,
3 and in-hospital following exposure to opioids and their derivatives,
4 including fentanyl and its derivatives.

5 **Sec. 2.** RCW 4.24.410 and 1993 c 180 s 1 are each amended to read
6 as follows:

7 (1) As used in this section:

8 (a) "Police dog" means a dog used by a law enforcement agency
9 specially trained for law enforcement work and under the control of a
10 dog handler.

11 (b) "Accelerant detection dog" means a dog used exclusively for
12 accelerant detection by the state fire marshal or a fire department
13 and under the control of the state fire marshal or his or her
14 designee or a fire department handler.

15 (c) "Dog handler" means a law enforcement officer who has
16 successfully completed training as prescribed by the Washington state
17 criminal justice training commission in police dog handling, or in
18 the case of an accelerant detection dog, the state fire marshal's
19 designee or an employee of the fire department authorized by the fire
20 chief to be the dog's handler.

21 (d) "Lawful application of a police dog" means employment or
22 specific use of a police dog as allowed by law.

23 (2) Any dog handler who uses a police dog in the line of duty in
24 good faith is immune from civil action for damages arising out of
25 such use of the police dog or accelerant detection dog.

26 (3) A state or local government or law enforcement agency is not
27 strictly liable for damages resulting from the lawful application of
28 a police dog.

Passed by the House March 5, 2024.

Passed by the Senate February 29, 2024.

Approved by the Governor March 26, 2024.

Filed in Office of Secretary of State March 27, 2024.

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