
SUBSTITUTE HOUSE BILL 1360

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Government Administration (originally sponsored by Representatives K. Schmidt, Scott, Zellinsky and Schoesler)

Read first time 02/12/97.

1 AN ACT Relating to private employment for Washington state patrol
2 officers; amending RCW 42.52.160; adding a new section to chapter 43.43
3 RCW; and adding a new 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 43.43 RCW
6 to read as follows:

7 Washington state patrol officers may engage in private law
8 enforcement off duty employment for private benefit, subject to any
9 rules adopted under RCW 42.52.160 and subject to guidelines adopted by
10 the chief of the Washington state patrol. These guidelines must ensure
11 that the integrity and professionalism of the Washington state patrol
12 is preserved.

13 **Sec. 2.** RCW 42.52.160 and 1996 c 213 s 7 are each amended to read
14 as follows:

15 (1) No state officer or state employee may employ or use any
16 person, money, or property under the officer's or employee's official
17 control or direction, or in his or her official custody, for the
18 private benefit or gain of the officer, employee, or another.

1 (2) This section does not prohibit the use of public resources to
2 benefit others as part of a state officer's or state employee's
3 official duties.

4 (3) The appropriate ethics boards may adopt rules providing
5 exceptions to this section for occasional use of the state officer or
6 state employee, of de minimis cost and value, if the activity does not
7 result in interference with the proper performance of public duties.
8 Rules covering private law enforcement employment for Washington state
9 patrol officers shall allow for long-term employment.

10 NEW SECTION. Sec. 3. A new section is added to chapter 4.92 RCW
11 to read as follows:

12 (1) The state of Washington is not liable for tortious conduct by
13 Washington state patrol officers that occurs while such officers are
14 engaged in private law enforcement off duty employment.

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

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