H-4235.2

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**SUBSTITUTE HOUSE BILL 2765**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** House Public Safety (originally sponsored by Representatives Kretz, Moscoso, Griffey, Hayes, and Holy)

AN ACT Relating to clarifying the limited authority of park rangers; amending RCW 79A.05.160; and adding a new section to chapter 79A.05 RCW.

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

**Sec.**  RCW 79A.05.160 and 2011 c 320 s 15 are each amended to read as follows:

(1) ((~~The members of~~)) Designated officers, employed by the commission ((~~and its designated employees~~)), shall be vested with police powers to enforce the laws of this state:

(a) Within the boundaries of any state park, including lands owned, managed, or comanaged by the commission under lease or other agreement;

(b) In winter recreation facilities established and administered by the commission pursuant to RCW 79A.05.225(1)(a);

(c) On public roadways and public waterways bisecting the contiguous borders of any state park, including lands owned, managed, or comanaged by the commission under lease or other agreement;

(d) Upon the prior written consent of the sheriff or chief of police in whose primary territorial jurisdiction the exercise of the powers occur;

(e) In response to the request of a peace officer with enforcement authority; and

(f) When the officer is in fresh pursuit for an offense committed in the presence of the officer while the officer had police powers as specified in (a) through (e) of this subsection.

(2) The director may, under the provisions of RCW 7.84.140, enter into an agreement allowing ((~~employees~~)) officers of the department of natural resources ((~~and~~)), the department of fish and wildlife, and tribal law enforcement agencies on contiguous or comanaged property, to enforce certain civil infractions created under this title.

NEW SECTION. **Sec.**  A new section is added to chapter 79A.05 RCW to read as follows:

When physical injury to a person or substantial damage to property occurs, or is about to occur, within the presence of an officer of the commission designated with police powers pursuant to RCW 79A.05.160, the designated officer is authorized to take such action as is reasonably necessary to prevent physical injury to a person or substantial damage to property or prevent further injury to a person or further substantial damage to property. A designated officer shall be immune from civil liability for damages arising out of the action of the designated officer to prevent physical injury to a person or substantial damage to property or prevent further injury to a person or further substantial damage to property, unless it is shown that the designated officer acted with gross negligence or bad faith.

**--- END ---**