

HB 1635 - S COMM AMD

By Committee on Law & Justice

ADOPTED AS AMENDED 02/29/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.101
4 RCW to read as follows:

5 By July 1, 2025, the commission shall develop model standards for
6 the training and certification of canine teams to detect fentanyl.
7 When developing the model standards, the commission shall consult
8 with experts including public and private organizations that train
9 canines to imprint on controlled substances, law enforcement or
10 correctional agencies that use canines to detect controlled
11 substances, and experts on the training of canines for use by law
12 enforcement.

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

15 (1) As used in this section:

16 (a) "Police dog" means a dog used by a law enforcement agency
17 specially trained for law enforcement work and under the control of a
18 dog handler.

19 (b) "Accelerant detection dog" means a dog used exclusively for
20 accelerant detection by the state fire marshal or a fire department
21 and under the control of the state fire marshal or his or her
22 designee or a fire department handler.

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

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

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

4 (3) A state or local government or law enforcement agency is not
5 strictly liable for damages resulting from the lawful application of
6 a police dog."

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7 On page 1, line 2 of the title, after "dogs;" strike the
8 remainder of the title and insert "amending RCW 4.24.410; and adding
9 a new section to chapter 43.101 RCW."

EFFECT: Provides that the criminal justice training commission must establish model standards for the training and certification of canine teams to detect fentanyl by July 1, 2025, instead of December 1, 2024.

Removes immunity for a state or local government, law enforcement agency, or any employees of such entities from civil damages arising from the use of a canine to detect fentanyl. Provides that a state or local government or law enforcement agency is not strictly liable for damages resulting from the lawful application of a police dog.

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