
SENATE BILL 5382

State of Washington

68th Legislature

2023 Regular Session

By Senators MacEwen, Dozier, Frame, Holy, Hunt, Keiser, Rolfes, Shewmake, J. Wilson, and L. Wilson

Read first time 01/16/23. Referred to Committee on Law & Justice.

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 Department of fish and wildlife officers may engage in private
8 law enforcement off-duty employment for private benefit. The
9 department of fish and wildlife shall support officer engagement in
10 private law enforcement off-duty employment. The chief of fish and
11 wildlife enforcement shall adopt guidelines that ensure that the
12 integrity and professionalism of the department of fish and wildlife
13 is preserved when officers choose to engage in off-duty employment.
14 Use of department of fish and wildlife officer's uniforms shall be
15 considered de minimis use of state property when consistent with
16 department of licensing regulations in RCW 18.170.160 (6) and (7).

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

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

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

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

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