

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1089

Chapter 319, Laws of 2021

67th Legislature
2021 Regular Session

PEACE OFFICERS AND LAW ENFORCEMENT AGENCIES—COMPLIANCE AUDITS

EFFECTIVE DATE: July 25, 2021

Passed by the House April 12, 2021
Yeas 69 Nays 29

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 7, 2021
Yeas 42 Nays 7

DENNY HECK

President of the Senate

Approved May 18, 2021 11:42 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1089** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 18, 2021

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1089

AS AMENDED BY THE SENATE

Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By House Appropriations (originally sponsored by Representatives Ramos, Goodman, Leavitt, Slatter, Wylie, Bateman, Berry, Dolan, Ramel, Ortiz-Self, Senn, Peterson, Gregerson, Ryu, Valdez, Callan, Kloba, Hackney, Chopp, Duerr, Ormsby, Taylor, Bronoske, Fey, Lekanoff, Santos, Macri, J. Johnson, Frame, Orwall, and Pollet)

READ FIRST TIME 02/09/21.

1 AN ACT Relating to compliance audits of requirements relating to
2 peace officers and law enforcement agencies; adding new sections to
3 chapter 43.101 RCW; and creating a new section.

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 (1) The office of the Washington state auditor is authorized to
8 conduct a process compliance audit procedure and review of any deadly
9 force investigation conducted pursuant to RCW 10.114.011. At the
10 conclusion of every deadly force investigation, the state auditor
11 shall determine whether the actions of the involved law enforcement
12 agency, investigative body, and prosecutor's office are in compliance
13 with RCW 10.114.011, chapter 43.--- RCW (the new chapter created in
14 section 601 of Engrossed Substitute House Bill No. 1267), and all
15 rules adopted pursuant to these provisions for the investigation and
16 reporting of incidents involving the use of deadly force. A deadly
17 force investigation is concluded once the involved prosecutor's
18 office makes a charging decision and any resulting criminal case
19 reaches disposition. Audit procedures under this section shall be
20 conducted in cooperation with the commission.

1 (2) The state auditor may not conduct an audit under this section
2 until adequately staffed with subject matter expertise regarding law
3 enforcement and investigative audits. Until that time, the state
4 auditor shall contract with persons with the appropriate subject
5 matter expertise and shall issue a request for proposal for
6 contracting with a person or entity to provide adequate subject
7 matter expertise.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101
9 RCW to read as follows:

10 Upon the request of the commission, the office of the Washington
11 state auditor is authorized to conduct an audit procedure on any law
12 enforcement agency to ensure the agency is in compliance with all
13 laws, policies, and procedures governing the training and
14 certification of peace officers employed by the agency. A copy of any
15 completed audit must be sent to the commission, law enforcement
16 agency, city or county council, county prosecutor, and relevant
17 committees of the legislature.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101
19 RCW to read as follows:

20 A law enforcement agency shall not pay any costs or fees for an
21 audit conducted pursuant to section 1 or 2 of this act.

22 NEW SECTION. **Sec. 4.** If specific funding for the purposes of
23 this act, referencing this act by bill or chapter number, is not
24 provided by June 30, 2021, in the omnibus appropriations act, this
25 act is null and void.

Passed by the House April 12, 2021.
Passed by the Senate April 7, 2021.
Approved by the Governor May 18, 2021.
Filed in Office of Secretary of State May 18, 2021.

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