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SENATE BILL 6218

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State of Washington

54th Legislature

1996 Regular Session

By Senators Hargrove, Long and Kohl

Read first time 01/09/96. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to the protection of community public health and  
2 safety network members; and amending RCW 4.92.060, 4.92.070, and  
3 4.92.075.

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

5 **Sec. 1.** RCW 4.92.060 and 1989 c 403 s 2 are each amended to read  
6 as follows:

7 Whenever an action or proceeding for damages shall be instituted  
8 against any state officer, including state elected officials, employee,  
9 volunteer, member of a community public health and safety network under  
10 chapter 70.190 RCW, or foster parent licensed in accordance with  
11 chapter 74.15 RCW, arising from acts or omissions while performing, or  
12 in good faith purporting to perform, official duties, or, in the case  
13 of a foster parent, arising from the good faith provision of foster  
14 care services, such officer, employee, volunteer, network member, or  
15 foster parent may request the attorney general to authorize the defense  
16 of (~~said~~) the action or proceeding at the expense of the state.

17 **Sec. 2.** RCW 4.92.070 and 1989 c 403 s 3 are each amended to read  
18 as follows:

1 If the attorney general shall find that (~~said~~) the officer,  
2 employee, member of a community public health and safety network under  
3 chapter 70.190 RCW, or volunteer's acts or omissions were, or were  
4 purported to be in good faith, within the scope of that person's  
5 official duties, or, in the case of a foster parent, that the  
6 occurrence arose from the good faith provision of foster care services,  
7 (~~said~~) the request shall be granted, in which event the necessary  
8 expenses of the defense of (~~said~~) the action or proceeding shall be  
9 paid from the appropriations made for the support of the department to  
10 which such officer, employee, volunteer, network member, or foster  
11 parent is attached. In such cases the attorney general shall appear  
12 and defend such officer, employee, volunteer, network member, or foster  
13 parent, who shall assist and cooperate in the defense of such suit.  
14 However, the attorney general may not represent or provide private  
15 representation for a foster parent in an action or proceeding brought  
16 by the department of social and health services against that foster  
17 parent.

18 **Sec. 3.** RCW 4.92.075 and 1989 c 413 s 2 are each amended to read  
19 as follows:

20 When a state officer, employee, (~~or~~) volunteer, or member of a  
21 community public health and safety network under chapter 70.190 RCW has  
22 been represented by the attorney general pursuant to RCW 4.92.070, and  
23 the body presiding over the action or proceeding has found that the  
24 officer, employee, (~~or~~) volunteer, or network member was acting  
25 within the scope of his or her official duties, and a judgment has been  
26 entered against the officer, employee, or volunteer pursuant to chapter  
27 4.92 RCW or 42 U.S.C. Sec. 1981 et seq., or network member, thereafter  
28 the judgment creditor shall seek satisfaction only from the state, and  
29 the judgment shall not become a lien upon any property of such officer,  
30 employee, (~~or~~) volunteer, or network member.

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