

HB 2156 -- Redline

Bill to Engrossed -- Concerning the authority of investigators of the attorney general's office.

Deletions ~~struck~~ · Insertions underlined

~~Z-0486-1~~ ENGROSSED HOUSE BILL 2156 State of Washington 69th Legislature 2026 Regular Session By Representatives Obras, Goodman, Leavitt, Reed, Zahn, Thomas, Gregerson, Ormsby, Reeves, Thai, Macri, Fosse, and Salahuddin;

~~(1)(a)(1) When~~ The granted attorney concurrent general criminal shall authority designate pursuant investigator to positions RCW that 43.10.232 are or 43.10.320 to investigate or prosecute crime, investigators have the powers of a limited authority Washington peace officer, officers as defined in RCW 10.93.020, 10.93.020. ~~to investigate crimes encompassed within the concurrent authority granted by a county prosecutor, police agency, or the governor.~~

~~The (2) limited~~ An authority investigator Washington designated peace as officer a authority of investigators to serve search warrants under this subsection is further limited to authority serving Washington search peace warrants officer on may businesses investigate only economic when and such financial search crimes. ~~has been authorized by a judicial officer.~~

~~Investigators (3) may~~ The physically authority serve of judicially an authorized investigator search in warrants this for section business does records not under include this the section power only to if detain the or business arrest, specifically and requests an service investigator at shall a not physical be location armed.

~~(b)(4) The authority of investigators an under investigator in this section does to not serve include search warrants is limited to electronic service on a business after the search warrant is approved by a judicial officer.~~

~~(i) An The investigator power must attest that the investigator has read the Fourth Amendment of the United States Constitution prior to detain each or application arrest; for a warrant under this section.~~

~~or An p- investigator shall not physically serve a search warrant for business records.~~

~~1p. HB 2156 (ii) The authority to be armed in the performance of their duties.~~

~~(2) 1 Nothing EHB in 2156 this (5) chapter~~ An restricts investigator or who prohibits is any a other limited law authority enforcement Washington agency's peace investigative officer authority under or this criminal section jurisdiction. ~~is subject to the relevant training requirements in chapter 43.101 RCW.~~

~~(3)(6) For An the investigator purposes who of is this a section, limited "investigators" authority means Washington employees peace of officer under this section is subject to the attorney background general's check, office personnel that file investigator release, alleged and criminal activity, history record check in RCW 43.101.095.~~

~~(7) The attorney general shall not employ any person as a limited authority Washington peace officer investigator if that person's history or conduct meets the standards requiring denial, suspension, or revocation of an officer's certification under RCW 43.101.105.~~

~~(8) The investigative authority or criminal jurisdiction of any other law enforcement agency is not modified by this section.~~

~~(9)(a) For the purposes of this section, "investigator" means an employee of the office of the attorney general whose job responsibilities include investigation of a suspected economic or financial crime.~~

~~"Investigator" does not include office of the attorney general personnel identified in RCW 74.67.010.~~

~~(b) For the purposes of this section, "economic and financial crimes" are those crimes that violate laws applicable to the department of revenue of the state of Washington, the department of labor and industries, and the office of the insurance commissioner;~~

~~and any felony offense involving fraudulent use of property for financial gain, including but not limited to, offenses under chapters 9A.56, 9A.60, 9A.82, or 21.20 RCW or RCW 9.35.020, 74.34.020, or 42.20.070.~~

~~An "economic and financial crime" does not include civil or administrative violations;~~

~~actions brought under chapter 19.86 RCW;~~

~~regulatory, licensing, tax, labor, campaign finance, or environmental violations;~~

~~or offenses where financial loss is incidental and not a primary element of the crimes, unless the violation is independently chargeable as a felony offense.~~

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