

House File 698

H-1340

1 Amend House File 698 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 80F.1, subsection 1, Code 2021, is
5 amended by adding the following new paragraph:

6 NEW PARAGRAPH. *g.* "*Brady list*" means a list of officers
7 maintained by the county attorney's office, including officers
8 who may have impeached themselves as witnesses and officers
9 who may have violated the pretrial discovery rule requiring
10 officers to turn over all evidence that might be used to
11 exonerate a defendant.

12 Sec. 2. Section 80F.1, Code 2021, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 20. *a.* An officer shall not be discharged,
15 disciplined, or threatened with discharge or discipline by a
16 state, county, or municipal law enforcement agency solely due
17 to the inclusion of the officer's name on a Brady list.

18 *b.* This subsection does not prohibit a law enforcement
19 agency from dismissing, suspending, demoting, or taking other
20 disciplinary actions against an officer based on the underlying
21 actions that resulted in the officer's name being placed on
22 a Brady list including any impeachment evidence against the
23 officer or evidence that the officer may not have turned
24 over exculpatory evidence to a defendant. If a collective
25 bargaining agreement applies, the actions taken by the law
26 enforcement agency shall conform to the rules and procedures
27 adopted by the collective bargaining agreement.>

28 2. Title page, by striking lines 1 and 2 and inserting <An
29 Act relating to officer disciplinary actions.>

KLEIN of Washington