

Multiple Agency Fiscal Note Summary

| | |
|-----------------------------|--------------------------------------|
| Bill Number: 1399 HB | Title: Sheriffs, chiefs, etc. |
|-----------------------------|--------------------------------------|

Estimated Cash Receipts

NONE

Estimated Operating Expenditures

| Agency Name | 2025-27 | | | | 2027-29 | | | | 2029-31 | | | |
|--------------------------------------|---------------------------|----------------|----------------|----------------|------------|----------------|----------------|----------------|------------|----------------|----------------|----------------|
| | FTEs | GF-State | NGF-Outlook | Total | FTEs | GF-State | NGF-Outlook | Total | FTEs | GF-State | NGF-Outlook | Total |
| Office of the Secretary of State | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Office of Attorney General | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Washington State Patrol | Fiscal note not available | | | | | | | | | | | |
| Criminal Justice Training Commission | 1.0 | 296,544 | 296,544 | 296,544 | 1.0 | 269,044 | 269,044 | 269,044 | 1.0 | 269,044 | 269,044 | 269,044 |
| Total \$ | 1.0 | 296,544 | 296,544 | 296,544 | 1.0 | 269,044 | 269,044 | 269,044 | 1.0 | 269,044 | 269,044 | 269,044 |

| Agency Name | 2025-27 | | | 2027-29 | | | 2029-31 | | |
|---------------------|--|----------|-------|---------|----------|-------|---------|----------|-------|
| | FTEs | GF-State | Total | FTEs | GF-State | Total | FTEs | GF-State | Total |
| Local Gov. Courts | | | | | | | | | |
| Loc School dist-SPI | | | | | | | | | |
| Local Gov. Other | Non-zero but indeterminate cost and/or savings. Please see discussion. | | | | | | | | |
| Local Gov. Total | | | | | | | | | |

Estimated Capital Budget Expenditures

| Agency Name | 2025-27 | | | 2027-29 | | | 2029-31 | | |
|--------------------------------------|---------------------------|----------|----------|------------|----------|----------|------------|----------|----------|
| | FTEs | Bonds | Total | FTEs | Bonds | Total | FTEs | Bonds | Total |
| Office of the Secretary of State | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Office of Attorney General | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Washington State Patrol | Fiscal note not available | | | | | | | | |
| Criminal Justice Training Commission | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Total \$ | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0 |

| Agency Name | 2025-27 | | | 2027-29 | | | 2029-31 | | |
|---------------------|--|----------|-------|---------|----------|-------|---------|----------|-------|
| | FTEs | GF-State | Total | FTEs | GF-State | Total | FTEs | GF-State | Total |
| Local Gov. Courts | | | | | | | | | |
| Loc School dist-SPI | | | | | | | | | |
| Local Gov. Other | Non-zero but indeterminate cost and/or savings. Please see discussion. | | | | | | | | |
| Local Gov. Total | | | | | | | | | |

Estimated Capital Budget Breakout

| | | |
|--|---------------------------------|---|
| Prepared by: Danya Clevenger, OFM | Phone: (360) 688-6413 | Date Published: Preliminary 2/ 5/2025 |
|--|---------------------------------|---|

Individual State Agency Fiscal Note

| | | |
|-----------------------------|--------------------------------------|---|
| Bill Number: 1399 HB | Title: Sheriffs, chiefs, etc. | Agency: 085-Office of the Secretary of State |
|-----------------------------|--------------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|------------------------------------|-----------------------|------------------|
| Legislative Contact: Lena Langer | Phone: 360-786-7192 | Date: 01/22/2025 |
| Agency Preparation: Bonnie Luntzel | Phone: 360-704-5262 | Date: 01/22/2025 |
| Agency Approval: Tim Gallivan | Phone: (360) 763-2044 | Date: 01/22/2025 |
| OFM Review: Marie Davis | Phone: (360) 890-1163 | Date: 01/24/2025 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The Office of the Secretary of State (OSOS) has reviewed this bill and determined it will not increase or decrease the current workloads, therefore, no fiscal impact to OSOS.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

No Impact

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

No Impact.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

| | | |
|-----------------------------|--------------------------------------|---|
| Bill Number: 1399 HB | Title: Sheriffs, chiefs, etc. | Agency: 100-Office of Attorney General |
|-----------------------------|--------------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|----------------------------------|-----------------------|------------------|
| Legislative Contact: Lena Langer | Phone: 360-786-7192 | Date: 01/22/2025 |
| Agency Preparation: Dan Jensen | Phone: 360-664-9429 | Date: 01/27/2025 |
| Agency Approval: Leah Snow | Phone: 360-586-2104 | Date: 01/27/2025 |
| OFM Review: Rayanna Evans | Phone: (360) 902-0553 | Date: 01/28/2025 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

1. The Attorney General's Office (AGO) Government Compliance & Enforcement Division (GCE) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Criminal Justice Training Commission (CJTC). GCE litigates law enforcement decertification actions for CJTC. This bill would amend the eligibility requirements, duties and responsibilities of sheriffs, police chiefs, and marshals. The responsibilities would reflect current best practices and make all the positions subject to the same requirements and standards. The positions would be required to obtain CJTC certification within 12 months of assuming office and maintain the certification while in office. This bill would also require county sheriffs and deputies to enforce the Constitution and the laws of Washington. CJTC and GCE assume this bill would result in a small increase in the number of decertification actions involving sheriffs, police chiefs, and marshals. Because of the limited number of positions covered by these changes in this bill and the infrequency of decertification action involving sheriffs, police chiefs, and marshals, we assume that we would receive no more than two new decertification actions between FY 2026 and FY 2031. We further assume that each new action would utilize approximately 80 AAG hours of work. New legal services are nominal, and costs are not included in this request.

2. The AGO Criminal Justice Division (CRJ) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing CJTC. Sections 10, 11, and 13 for the bill impose new duties on CJTC. These may generate client advice requests to the AGO, but these requests are not expected to be significantly complex. Many of the other sections impose new requirements on cities and towns, but those entities may have questions of CJTC about the impact the new requirements have on issues over which CJTC has authority, which in turn may generate requests for client advice to the AGO. New legal services are nominal, and costs are not included in this request.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

| | | |
|-----------------------------|--------------------------------------|---|
| Bill Number: 1399 HB | Title: Sheriffs, chiefs, etc. | Agency: 227-Criminal Justice Training Commission |
|-----------------------------|--------------------------------------|---|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2026 | FY 2027 | 2025-27 | 2027-29 | 2029-31 |
|--------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| Account | | | | | |
| General Fund-State 001-1 | 162,022 | 134,522 | 296,544 | 269,044 | 269,044 |
| Total \$ | 162,022 | 134,522 | 296,544 | 269,044 | 269,044 |

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

| | | |
|-------------------------------------|-----------------------|------------------|
| Legislative Contact: Lena Langer | Phone: 360-786-7192 | Date: 01/22/2025 |
| Agency Preparation: Francesca Heard | Phone: 206-610-8870 | Date: 01/24/2025 |
| Agency Approval: Francesca Heard | Phone: 206-610-8870 | Date: 01/24/2025 |
| OFM Review: Danya Clevenger | Phone: (360) 688-6413 | Date: 02/05/2025 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

HB 1399- AN ACT Relating to modernizing, harmonizing, and clarifying laws concerning sheriffs, chiefs, marshals, and police matrons; amending RCW 35.21.333, 35.21.334, 35.23.161, 35.27.240, 36.28.010, 36.28.025, 43.101.095, 36.28.020, 43.101.380, and 43.101.400; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.28 RCW; creating a new section; and repealing RCW 35.66.010, 35.66.020, 35.66.030, 35.66.040, 35.66.050, and 36.28.011.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

HB 1399 will create new and additional duties for WSCJTC’s Certification Bureau, including the development of standards and criteria for background checks (including rulemaking), and the review and verification of background checks of Sheriff’s candidates. Certification requires one additional full-time FTE at the Investigator 4 level, with experience in conducting and reviewing backgrounds. This position will manage the mandated rule-making process (including stakeholder outreach and expert consultation), provide education and outreach to stakeholders regarding backgrounding standards and criteria, answer stakeholder inquiries regarding backgrounding best practices, review background investigations for compliance and verification, and provide internal training to Certification’s Investigator 3’s to assist in that process. Certification also requests \$20K in one-time funding in FY 2026 for purposes of compensating psychologists and/or polygraphers who provide expert consultation necessary to assist in the rule-making process.

Investigator 4 FTE
 Salary - \$98,522
 Benefits- \$36,000

One- time- professional services \$20,000

One -time costs- equipment and set up- \$7,500

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2026 | FY 2027 | 2025-27 | 2027-29 | 2029-31 |
|-----------------|---------------|-------|---------|---------|---------|---------|---------|
| 001-1 | General Fund | State | 162,022 | 134,522 | 296,544 | 269,044 | 269,044 |
| Total \$ | | | 162,022 | 134,522 | 296,544 | 269,044 | 269,044 |

III. B - Expenditures by Object Or Purpose

| | FY 2026 | FY 2027 | 2025-27 | 2027-29 | 2029-31 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| A-Salaries and Wages | 98,522 | 98,522 | 197,044 | 197,044 | 197,044 |
| B-Employee Benefits | 36,000 | 36,000 | 72,000 | 72,000 | 72,000 |
| C-Professional Service Contracts | 20,000 | | 20,000 | | |
| E-Goods and Other Services | 7,500 | | 7,500 | | |
| G-Travel | | | | | |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | | | | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | | | | | |
| 9- | | | | | |
| Total \$ | 162,022 | 134,522 | 296,544 | 269,044 | 269,044 |

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification | Salary | FY 2026 | FY 2027 | 2025-27 | 2027-29 | 2029-31 |
|--------------------|--------|---------|---------|---------|---------|---------|
| Investigator 4 | 98,522 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| Total FTEs | | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1399 HB

Title: Sheriffs, chiefs, etc.

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities: Costs to update and modify hiring practices, record keeping, and use of volunteers and specially commissioned officers.
- Counties: Same as above
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: Policy and procedure updates will vary by jurisdiction.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Part III: Preparation and Approval

| | | |
|-------------------------------------|-----------------------|------------------|
| Fiscal Note Analyst: Alice Zillah | Phone: 360-725-5035 | Date: 01/29/2025 |
| Leg. Committee Contact: Lena Langer | Phone: 360-786-7192 | Date: 01/22/2025 |
| Agency Approval: Allan Johnson | Phone: 360-725-5033 | Date: 01/29/2025 |
| OFM Review: Danya Clevenger | Phone: (360) 688-6413 | Date: 02/05/2025 |

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

Sec. 2 amends RCW 35.21.333. A person is eligible for the chief of police if they are:

- At least 25 years old;
- Have not been convicted under the laws of this state, another state, the United States, or the equivalent under foreign law, of a felony;
- Have not been convicted under the laws of this state, another state, the United States, or the equivalent under foreign law of a gross misdemeanor involving moral turpitude, dishonesty, fraud, or corruption;
- Have not engaged in conduct meeting the criteria requiring denial or revocation of certification set forth in RCW 43.101.105(2).
- Within 12 months of assuming office have obtained certification and maintains certification as required under chapter 43.101 RCW; and
- If not yet certified, have met the background investigation requirements under RCW 43.101.095, and if certified, have met the background investigation requirements that confirm that the person is eligible under this subsection.

The background investigation must be completed by the appointing authority no earlier than 6 months prior to the date of appointment. The appointing authority must submit verification to the Criminal Justice Training Commission (CJTC) that the applicant meets the eligibility criteria, has complied with all applicable standards and was not determined by the background investigation and commission rules to be unsuitable for employment by a law enforcement agency or to serve in the office of chief of police or marshal.

The appointing authority is responsible for any fees associated with the background investigation.

The background investigation requirements of this section do not apply to any person who is holding the office of chief of police or marshal as of the effective date of this section, unless the person seeks appointment to a different office of chief of police or marshal.

Sec. 3 amends RCW 35.21.334. Before making an appointment to the office of chief of police or marshal in any city or town, the appointing authority must attest as part of the public record of appointment that the requirements of RCW 35.21.333 have been met. Such appointment shall be terminated, and a vacancy created, if the chief of police's or marshal's certification is not maintained as required, if the chief of police or marshal is disqualified from serving as a law enforcement officer. The appointing city or town authority shall appoint a replacement to fill the office.

Sec. 6 creates a new section. If a law enforcement agency in any city or town uses volunteers or specially commissioned officers to assist in the work of their agency, the roles shall be limited to functions and actions not involving use of law enforcement authority or carrying firearms or other weapons, unless the volunteer or specially commissioned officer is certified under chapter 43.101 RCW.

Limitations on authority and the required supervision of volunteers and specially commissioned officers must be set forth in that agency's policies and regulations. Agency policies and regulations shall also include requirements that volunteers and specially commissioned officers must be clearly identifiable by the public, and that if they are provided badges, such identification shall be officially issued by the agency and used only while on duty in this role.

Sec. 7 amends RCW 36.28.010. The sheriff is the chief executive officer and conservator of the peace of the county. In the execution of the office, the sheriff and the sheriff's deputies shall enforce the Constitution and laws of the United States and the Constitution and laws of the state of Washington, as interpreted and applied by the state supreme court.

Limitations on authority and the required supervision of volunteers and specially commissioned officers must be set forth in that agency's policies and regulations. Agency policies and regulations shall also include requirements that volunteers and specially commissioned officers must be clearly identifiable by the public, and if they are provided badges, such

identification shall be officially issued by the agency and used only while on duty in this role.

Sec. 8 amends RCW 36.28.025. A person is eligible for the office of sheriff if they are:

- A citizen of the United States of America;
- At least 25 years old;
- Have obtained a high school diploma or high school equivalency certificate as provided in RCW 28B.50.536;
- Have not been convicted under the laws of this state, another state, United States law, or foreign law, of a felony;
- Have not been convicted under the laws of this state, another state, the United States, or foreign law, of a gross misdemeanor involving moral turpitude, dishonesty, fraud, or corruption;
- Have not engaged in conduct meeting the criteria requiring denial or revocation of certification;
- Have received at least a general discharge under honorable conditions from any branch of the armed services for any military service if the person was in the military service;
- Have completed at least two years of regular, uninterrupted, full-time law enforcement agency employment involving enforcement responsibilities with a government law enforcement agency.
- Have obtained certification within 12 months and maintained certification; and
- Have met the background investigation requirements under RCW 43.101.095.

In the case of appointment, the background investigation must be completed by the appointing authority no earlier than six months prior to the date of appointment. The appointing authority must submit verification to the CJTC that the applicant meets the eligibility criteria, has complied with all applicable standards and was not determined by the background investigation and commission rules to be unsuitable for employment by a law enforcement agency or to serve in the office of chief of police or marshal. Such verification is a public record.

The appointing authority is responsible for any fees associated with the background investigation for any person being appointed to the office of sheriff.

The background investigation requirements of this section do not apply to any person who is holding the office of sheriff as of the effective date of this section, unless the person seeks election or appointment to a different office of sheriff.

Sec. 10 amends RCW 43.101.095. Law enforcement or correctional agencies that previously employed or received an application from the applicant shall retain application records and disclose any information regarding the candidate's application to that agency, and any other information obtained during the background investigation conducted as part of the application process.

Prior to certification, or to appointment as a sheriff, chief, or marshal, the employing agency shall attest to the CJTC that the agency has received or conducted a completed background investigation, no information has been found that would disqualify the applicant from certification, that the applicant was determined by the background investigation and under commission rules to be suitable for election or employment.

All files, papers, and other information obtained as part of the background investigation are confidential and exempt from public disclosure.

Sec. 11 amends RCW 36.28.020. Persons may also be deputized by the sheriff in writing to do particular acts. The use of such persons shall be limited to functions and actions not involving use of law enforcement authority or carrying of firearms or other weapons unless such persons are certified under chapter 43.101 RCW.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

The legislation will have indeterminate impacts on counties and cities. The bill would require that law enforcement agencies make changes to their hiring practices, record keeping, and use of volunteers and specially commissioned officers. Because the changes needed will vary across jurisdictions, the total impacts are indeterminate.

HIRING PROCESSES:

Sections 2 and 8 direct that a background investigation must be completed prior to the date of appointment of a sheriff or police chief. Several jurisdictions reported that background investigations are not routinely done for internal candidates who are applying for a sheriff or chief position. The work of conducting a background check takes approximately 40 hours of staff time. In addition, there would be costs to administer a polygraph, psychological exam, and medical exam.

RECORD KEEPING:

Section 10 directs law enforcement and correctional agencies that previously employed or received an application from the applicant to retain application records and disclose any information regarding the candidate's application to the requesting agency, and any other information obtained during the background investigation conducted as part of the application process. To meet this requirement, agencies might need digital or other storage for these records, a directive on how long to store them, and a directive on how to provide them to another agency.

VOLUNTEER AND SPECIALLY COMMISSIONED OFFICER PRACTICES:

Sections 6, 7 and 11 establish that the roles of volunteers or specially commissioned officers/deputies must be limited to not involving use of law enforcement authority or carrying firearms or other weapons. Jurisdictions reported that updating their policy manuals or regulations specific to these volunteers and employees would take approximately 80 hours of staff time.

Law enforcement agencies had concerns about the impacts of the legislation to community service officers and support officers. These officers may be granted authority to enforce parking and animal enforcement, among other duties. While they do not carry firearms, in some jurisdictions they are issued a taser, pepper spray, and baton. In Lake Forest, two support officers are specially commissioned, one of whom does prisoner transports. The bill's restrictions on non-commissioned officers carrying weapons and participating in actions involving use of law enforcement authority would likely disallow these activities. As a result, it may be necessary to hire additional officers to fulfil the functions currently done by volunteers and noncommissioned officers. For reference, the average cost for a law enforcement officer, including benefits, is \$154,704 annually, according to the Association of Washington Cities salary and benefit survey.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

The legislation will have no revenue impacts for local government.

SOURCES:

Everett Police Department
Marysville Police Department
Lake Forest Police Department
Association of Washington Cities