

SENATE BILL REPORT

HB 1530

As Reported by Senate Committee On:
Law & Justice, February 15, 2024

Title: An act relating to expanding eligibility for employment to lawful permanent residents for positions with general authority Washington law enforcement agencies, limited authority Washington law enforcement agencies, and prosecuting attorney offices.

Brief Description: Expanding eligibility for employment of certain law enforcement and prosecutor office positions.

Sponsors: Representatives Cortes, Mena, Simmons, Ryu, Davis and Fosse.

Brief History: Passed House: 1/25/24, 93-0.

Committee Activity: Law & Justice: 1/30/24, 2/15/24 [DP].

Brief Summary of Bill

- Permits law enforcement agencies to consider applicants who are United States citizens or lawful permanent residents for any office, place, position, or employment within the agency.
- Specifies deputy prosecutors must be United States citizens or lawful permanent residents but do not have to be qualified electors in the county which they serve.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer, McCune, Pedersen, Salomon, Torres, Valdez, Wagoner and Wilson, L..

Staff: Joe McKittrick (786-7287)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: Law Enforcement. A general authority peace officer is an individual commissioned to enforce the criminal laws of the state of Washington. A limited authority peace officer is an individual empowered by his or her employing agency to detect or apprehend violators of the law in some or all the limited subject areas for which the officer's employing agency is responsible.

All general authority peace officers must be certified by the Criminal Justice Training Commission as a condition of employment. The certification process includes a background check that verifies the peace officer is either a citizen of the United States or a lawful permanent resident.

Prosecuting Attorneys. To be qualified as a county prosecuting attorney, a person must be a qualified elector in the county in which he or she is running and an attorney licensed to practice in Washington. Prosecuting attorneys may appoint one or more deputies who have the same powers as the principal prosecuting attorney. Each deputy prosecutor must have the same qualifications as the principle prosecuting attorney, except deputies do not need to reside in the county in which the deputy serves.

Lawful Permanent Residents. Under federal law, a lawful permanent resident is a person who is legally authorized to reside permanently in the United States. Lawful permanent residents have many of the same rights as United States citizens, including the ability to accept employment, own property, and join the United States armed forces.

Summary of Bill: General authority and limited authority law enforcement agencies may consider the applications of United States citizens or lawful permanent residents for any office, place, position, or employment within the agency. Deputy prosecuting attorneys are not required to be qualified electors in the county in which the deputy prosecutor serves, however deputy prosecutors must be either a United States citizen or a lawful permanent resident.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill looks to diversify and enhance the criminal justice system.

Persons Testifying: PRO: Taylor Gardner, WA Assn of Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: No one.