
SUBSTITUTE SENATE BILL 5361

State of Washington

68th Legislature

2023 Regular Session

By Senate Law & Justice (originally sponsored by Senators Holy, L. Wilson, MacEwen, Dozier, Braun, Lovick, Gildon, Boehnke, Schoesler, Randall, Wagoner, Padden, Warnick, Fortunato, Lias, Short, King, Muzzall, Van De Wege, Cleveland, Conway, Torres, and C. Wilson)

READ FIRST TIME 01/27/23.

1 AN ACT Relating to incentivizing cities and counties to increase
2 employment of commissioned law enforcement officers; reenacting and
3 amending RCW 43.101.200; adding a new section to chapter 82.14 RCW;
4 and creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds the people of
7 Washington have more reason to fear for their safety, with the
8 incidence of violent crimes such as murder, rape, and aggravated
9 assault reaching 25-year highs in the past few years, while the rate
10 of property crime has ranked second highest in the nation over the
11 past five years. The legislature also finds Washington ranks last in
12 the nation for law enforcement officers per capita.

13 (2) The legislature finds the counties and cities of Washington
14 should be served by a number of law enforcement officers at least
15 equal to the national average per capita, and that law enforcement
16 agencies should be encouraged to invest in innovative crime reduction
17 efforts when possible. To avoid placing more burden on local
18 governments and to promote equitable and consistent enforcement of
19 laws among jurisdictions, it is therefore the intent of the
20 legislature to provide a source of funding to support additional

1 local investments in law enforcement and public safety, with the goal
2 of reducing violent and property crime.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.14
4 RCW to read as follows:

5 (1) (a) A county or city legislative authority may impose a sales
6 and use tax in accordance with the terms of this chapter. The rate of
7 tax under this section is 0.10 percent of the selling price, in the
8 case of a sales tax, or value of the article used, in the case of a
9 use tax.

10 (b) For a city imposing the sales and use tax under this section,
11 if the county in which the city is located also imposes the tax, the
12 city sales and use tax must be credited against the county tax.

13 (2) The tax authorized in this section is in addition to any
14 other taxes authorized by law and must be collected from those
15 persons who are taxable by the state under chapters 82.08 and 82.12
16 RCW upon the occurrence of any taxable event within the county. The
17 tax authorized under this section is a credit against the state tax
18 under chapter 82.08 or 82.12 RCW. The department must perform the
19 collection of such taxes on behalf of the county or city at no cost
20 to the county or city and must remit the tax to the jurisdiction as
21 provided in RCW 82.14.060.

22 (3) (a) Subject to (b) of this subsection, all money received
23 under this section must be used solely for employing additional
24 commissioned law enforcement officers.

25 (b) If the local commissioned rate per 1,000 population is
26 greater than the national commissioned rate per 1,000 population, the
27 city or county may use money received under this section in the
28 current calendar year for criminal justice purposes. To determine the
29 local and national commissioned rate per 1,000 population, law
30 enforcement employment data and jurisdictional population data
31 provided to the federal uniform crime program, as of October of the
32 prior calendar year, must be used.

33 (4) For the purposes of this section, the following definitions
34 apply.

35 (a) "Criminal justice purposes" means activities that
36 substantially assist the criminal justice system, which may include
37 circumstances where ancillary benefit to the civil justice system
38 occurs, and which includes domestic violence services such as those
39 provided by domestic violence programs, community advocates, and

1 legal advocates, as defined in RCW 70.123.020. After May 13, 2021,
2 through December 31, 2024, criminal justice purposes includes local
3 government programs that have a reasonable relationship to reducing
4 the number of people interacting with the criminal justice system
5 including, but not limited to, reducing homelessness and improving
6 behavioral health.

7 (b) "Local commissioned rate per 1,000 population" means the
8 total full-time commissioned law enforcement officers of the city or
9 county, divided by the population, and multiplied by 1,000.

10 (c) "National commissioned rate per 1,000 population" means the
11 total full-time commissioned law enforcement officers for all
12 agencies, divided by the total agency population, and multiplied by
13 1,000.

14 (d) "Uniform crime program" means the federal law enforcement
15 reporting and statistics program operated by the criminal justice
16 information services division of the federal bureau of investigation.

17 **Sec. 3.** RCW 43.101.200 and 2021 c 334 s 977 and 2021 c 323 s 31
18 are each reenacted and amended to read as follows:

19 (1) All law enforcement personnel, except volunteers, and reserve
20 officers whether paid or unpaid, initially employed on or after
21 January 1, 1978, shall engage in basic law enforcement training which
22 complies with standards adopted by the commission pursuant to RCW
23 43.101.080. For personnel initially employed before January 1, 1990,
24 such training shall be successfully completed during the first
25 fifteen months of employment of such personnel unless otherwise
26 extended or waived by the commission and shall be requisite to the
27 continuation of such employment. Personnel initially employed on or
28 after January 1, 1990, shall commence basic training during the first
29 six months of employment unless the basic training requirement is
30 otherwise waived or extended by the commission. Successful completion
31 of basic training is requisite to the continuation of employment of
32 such personnel initially employed on or after January 1, 1990.

33 (2) Except as provided in RCW 43.101.170, the commission shall
34 provide the aforementioned training and shall have the sole authority
35 to do so. The commission shall provide necessary facilities,
36 supplies, materials, and the board and room of noncommuting attendees
37 for seven days per week, except during the 2017-2019, 2019-2021, and
38 2021-2023 fiscal biennia when the employing, county, city, or state
39 law enforcement agency shall reimburse the commission for twenty-five

1 percent of the cost of training its personnel. Additionally, to the
2 extent funds are provided for this purpose, the commission shall
3 reimburse to participating law enforcement agencies with ten or less
4 full-time commissioned patrol officers the cost of temporary
5 replacement of each officer who is enrolled in basic law enforcement
6 training: PROVIDED, That such reimbursement shall include only the
7 actual cost of temporary replacement not to exceed the total amount
8 of salary and benefits received by the replaced officer during his or
9 her training period.

10 (3) Beginning with fiscal year 2024, the commission must provide
11 up to 25 basic law enforcement training classes. Beginning with
12 fiscal year 2025, the commission must provide up to 27 basic law
13 enforcement training classes each fiscal year. The legislature must
14 appropriate sufficient funding to the commission for this purpose.

--- END ---