
SENATE BILL 6153

State of Washington

68th Legislature

2024 Regular Session

By Senators Kuderer, Lovick, Hasegawa, Nobles, Saldaña, Valdez, Wellman, and C. Wilson

Read first time 01/11/24. Referred to Committee on Law & Justice.

1 AN ACT Relating to peace officer hiring and certification;
2 amending RCW 41.12.070, 41.12.100, 41.14.100, 41.14.130, 43.43.020,
3 and 43.43.360; adding a new section to chapter 43.101 RCW; and
4 creating new sections.

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

6 NEW SECTION. **Sec. 1.** The legislature believes the diversity of
7 the police force is essential to maintaining public trust and
8 confidence in the criminal justice system. With this act, the
9 legislature intends to provide for a diverse workforce with a variety
10 of experiences and backgrounds that will ensure officers have the
11 maturity and empathy to serve the citizens of Washington. The
12 legislature is persuaded by research evidencing that adolescent brain
13 development continues until a person reaches the age of 26. Law
14 enforcement officers are entrusted with the tools and ability to
15 effect life and liberty. We believe that increasing the qualification
16 age of an officer to age 23 will help ensure the requisite maturity
17 for these responsibilities.

18 **Sec. 2.** RCW 41.12.070 and 2018 c 32 s 2 are each amended to read
19 as follows:

1 (1) An applicant for a position of any kind under civil service
2 under the provisions of this chapter((7)) must be a citizen of the
3 United States of America or a lawful permanent resident who can read
4 and write the English language((7

5 ~~An applicant for a position of any kind under civil service must~~
6 ~~be))~~; and of an age suitable for the position applied for, in
7 ordinary good health, of good moral character, and of temperate and
8 industrious habits; these facts to be ascertained in such manner as
9 the commission may deem advisable.

10 (2) An applicant for a position with a law enforcement agency
11 must be at least 23 years of age and:

12 (a) Have an associate of arts or science degree;

13 (b) Complete an associate of arts or science degree prior to the
14 end of the person's probationary period as provided in RCW 41.12.100;
15 or

16 (c) Have two years' full-time experience working in domestic
17 violence services, mental or behavioral health care, homelessness
18 programs, crisis intervention services, or other social services
19 professions.

20 (3) An application for a position with a law enforcement agency
21 may be rejected if the law enforcement agency deems that it does not
22 have the resources to conduct the background investigation required
23 pursuant to chapter 43.101 RCW. Resources means materials, funding,
24 and staff time.

25 (4) (a) Consistent with the scoring scheme outlined in RCW
26 41.04.010, a hiring law enforcement agency shall add a maximum of 10
27 percent to the passing mark, grade, or rating of any applicant for
28 any of the following qualifications:

29 (i) Proficiency, as defined by the local jurisdiction, in a
30 language other than English; or

31 (ii) Two or more years of professional or volunteer experience in
32 the peace corps, AmeriCorps, domestic violence counseling, mental or
33 behavioral health care, homelessness programs, or other social
34 services professions.

35 (b) Preference points under this subsection and RCW 41.04.010 may
36 not be aggregated to exceed more than 10 percent of the applicant's
37 examination score.

38 (5) Nothing in this section impairs an applicant's rights under
39 state antidiscrimination laws.

1 **Sec. 3.** RCW 41.12.100 and 2007 c 218 s 15 are each amended to
2 read as follows:

3 (1) Whenever a position in the classified service becomes vacant,
4 the appointing power, if it desires to fill the vacancy, shall make
5 requisition upon the commission for the name and address of a person
6 eligible for appointment thereto. The commission shall certify the
7 name of the person highest on the eligible list for the class to
8 which the vacant position has been allocated, who is willing to
9 accept employment. If there is no appropriate eligible list for the
10 class, the commission shall certify the name of the person standing
11 highest on said list held appropriate for such class. If more than
12 one vacancy is to be filled an additional name shall be certified for
13 each additional vacancy. The appointing power shall forthwith appoint
14 such person to such vacant position.

15 (2) Whenever requisition is to be made, or whenever a position is
16 held by a temporary appointee and an eligible list for the class of
17 such position exists, the commission shall forthwith certify the name
18 of the person eligible for appointment to the appointing power, and
19 said appointing power shall forthwith appoint the person so certified
20 to said position. No person so certified shall be laid off,
21 suspended, or given leave of absence from duty, transferred or
22 reduced in pay or grade, except for reasons which will promote the
23 good of the service, specified in writing, and after an opportunity
24 to be heard by the commission and then only with its consent and
25 approval.

26 (3) To enable the appointing power to exercise a choice in the
27 filling of positions, no appointment, employment or promotion in any
28 position in the classified service shall be deemed complete until
29 after the expiration of a period of (~~three to six months~~)
30 probationary service, as may be provided in the rules of the civil
31 service commission during which the appointing power may terminate
32 the employment of the person certified to him or her, or it, if
33 during the performance test thus afforded, upon observation or
34 consideration of the performance of duty, the appointing power deems
35 him or her unfit or unsatisfactory for service in the department,
36 whereupon the appointing power shall designate the person certified
37 as standing next highest on any such list and such person shall
38 likewise enter upon said duties until some person is found who is
39 deemed fit for appointment, employment or promotion for the
40 probationary period provided therefor, whereupon the appointment,

1 employment or promotion shall be deemed to be complete. The
2 probationary period of a person appointed or hired:

3 (a) As a new law enforcement officer, must be no less than 24
4 months from the date of successful completion of the basic law
5 enforcement academy;

6 (b) In any other position, must be between three and six months
7 from the date of appointment or hire.

8 **Sec. 4.** RCW 41.14.100 and 2018 c 32 s 3 are each amended to read
9 as follows:

10 (1) An applicant for a position of any kind under civil service
11 under the provisions of this chapter, must be a citizen of the United
12 States or a lawful permanent resident who can read and write the
13 English language.

14 (2) An applicant for a position with a law enforcement agency
15 must be at least 23 years of age and:

16 (a) Have an associate of arts or science degree;

17 (b) Complete an associate of arts or science degree prior to the
18 end of the person's probationary period as provided in RCW 41.14.130;
19 or

20 (c) Have two years' full-time experience working in domestic
21 violence services, mental or behavioral health care, homelessness
22 programs, crisis intervention services, or other social services
23 professions.

24 (3) An application for a position with a law enforcement agency
25 may be rejected if the law enforcement agency deems that it does not
26 have the resources to conduct the background investigation required
27 pursuant to chapter 43.101 RCW. Resources means materials, funding,
28 and staff time.

29 (4) (a) Consistent with the scoring scheme outlined in RCW
30 41.04.010, a hiring law enforcement agency shall add a maximum of 10
31 percent to the passing mark, grade, or rating of any applicant for
32 any of the following qualifications:

33 (i) Proficiency, as defined by the local jurisdiction, in a
34 language other than English; or

35 (ii) Two or more years of professional or volunteer experience in
36 the peace corps, AmeriCorps, domestic violence counseling, mental or
37 behavioral health care, homelessness programs, or other social
38 services professions.

1 (b) Preference points under this subsection and RCW 41.04.010 may
2 not be aggregated to exceed more than 10 percent of the applicant's
3 examination score.

4 (5) Nothing in this section impairs an applicant's rights under
5 state antidiscrimination laws.

6 **Sec. 5.** RCW 41.14.130 and 2020 c 14 s 2 are each amended to read
7 as follows:

8 (1) Whenever a position in the classified service becomes vacant,
9 the appointing power, if it desires to fill the vacancy, shall
10 requisition the commission for the names and addresses of persons
11 eligible for appointment thereto. Before a requisition can be made,
12 the appointing authority shall give employees of the appointing
13 authority who are in layoff status or who have been notified of an
14 intended layoff an opportunity to qualify for any class within the
15 office of the appointing authority. The commission shall certify the
16 names of the five persons highest on the eligible list for the class
17 to which the vacant position has been allocated, who are willing to
18 accept employment. If there is no appropriate eligible list for the
19 class, the commission shall certify the names of the five persons
20 standing highest on the list held appropriate for such class. If more
21 than one vacancy is to be filled an additional name shall be
22 certified for each additional vacancy. The appointing power shall
23 forthwith appoint a person from those certified to the vacant
24 position.

25 (2) To enable the appointing power to exercise a greater degree
26 of choice in the filling of positions, no appointment, employment, or
27 promotion in any position in the classified service shall be deemed
28 complete until after the expiration of a period of one year's
29 probationary service, as may be provided in the rules of the civil
30 service commission, during which the appointing power may terminate
31 the employment of the person appointed, if during the performance
32 test thus afforded, upon observation or consideration of the
33 performance of duty, the appointing power deems such person unfit or
34 unsatisfactory for service in the office of county sheriff. Thereupon
35 the appointing power shall again requisition the commission for the
36 names and addresses of persons eligible for appointment in the manner
37 provided by this section and the person appointed in the manner
38 provided by this section shall likewise enter upon said duties for
39 the probationary period, until some person is found who is deemed fit

1 for appointment, employment, or promotion whereupon the appointment,
2 employment, or promotion shall be deemed complete. The probationary
3 period of a person appointed or hired:

4 (a) As a new law enforcement officer, must be no less than 24
5 months from the date of successful completion of the basic law
6 enforcement academy;

7 (b) In any other position, must be no less than one year from the
8 date of appointment or hire.

9 **Sec. 6.** RCW 43.43.020 and 2005 c 434 s 4 are each amended to
10 read as follows:

11 (1) The governor, with the advice and consent of the senate,
12 shall appoint the chief of the Washington state patrol, determine his
13 compensation, and may remove him at will.

14 (2)(a) The chief shall appoint a sufficient number of competent
15 persons to act as Washington state patrol officers, may remove them
16 for cause, as provided in this chapter, and shall make promotional
17 appointments, determine their compensation, and define their rank and
18 duties, as hereinafter provided.

19 (b) Before a person may be appointed to act as a Washington state
20 patrol officer, in addition to the requirements in (c) of this
21 subsection, the person shall meet the minimum standards for
22 employment with the Washington state patrol, including successful
23 completion of a psychological examination and polygraph examination
24 or similar assessment procedure administered by the chief or his or
25 her designee in accordance with the requirements of RCW
26 43.101.095(2).

27 (c) A person appointed as a Washington state patrol officer must
28 be at least 23 years of age and:

29 (i) Have an associate of arts or science degree;

30 (ii) Complete an associate of arts or science degree prior to the
31 end of the person's probationary period as provided in RCW 43.43.360;
32 or

33 (iii) Have two years' full-time experience working in domestic
34 violence services, mental or behavioral health care, homelessness
35 programs, crisis intervention services, or other social services
36 professions.

37 (3)(a) Consistent with the scoring scheme outlined in RCW
38 41.04.010, a hiring law enforcement agency shall add a maximum of 10

1 percent to the passing mark, grade, or rating of any applicant for
2 any of the following qualifications:

3 (i) Proficiency, as defined by the local jurisdiction, in a
4 language other than English; or

5 (ii) Two or more years of professional or volunteer experience in
6 the peace corps, AmeriCorps, domestic violence counseling, mental or
7 behavioral health care, homelessness programs, or other social
8 services professions.

9 (b) Preference points under this subsection and RCW 41.04.010 may
10 not be aggregated to exceed more than 10 percent of the applicant's
11 examination score.

12 (4) The chief may appoint employees of the Washington state
13 patrol to serve as special deputies, with such restricted police
14 authority as the chief shall designate as being necessary and
15 consistent with their assignment to duty. Such appointment and
16 conferral of authority shall not qualify said employees for
17 membership in the Washington state patrol retirement system, nor
18 shall it grant tenure of office as a regular officer of the
19 Washington state patrol.

20 (5) The chief may personally appoint, with the consent of the
21 state treasurer, employees of the office of the state treasurer who
22 are qualified under the standards of the criminal justice training
23 commission, or who have comparable training and experience, to serve
24 as special deputies. The law enforcement powers of any special
25 deputies appointed in the office of the state treasurer shall be
26 designated by the chief and shall be restricted to those powers
27 necessary to provide for statewide security of the holdings or
28 property of or under the custody of the office of the state
29 treasurer. These appointments may be revoked by the chief at any time
30 and shall be revoked upon the written request of the state treasurer
31 or by operation of law upon termination of the special deputy's
32 employment with the office of the state treasurer or thirty days
33 after the chief who made the appointment leaves office. The chief
34 shall be civilly immune for the acts of such special deputies. Such
35 appointment and conferral of authority shall not qualify such
36 employees for membership in the Washington state patrol retirement
37 system, nor shall it grant tenure of office as a regular officer of
38 the Washington state patrol.

1 **Sec. 7.** RCW 43.43.360 and 1984 c 141 s 5 are each amended to
2 read as follows:

3 All newly appointed (~~or promoted~~) officers shall serve a
4 probationary period of (~~one year after appointment or promotion~~) 24
5 months from the date of successful completion of the basic law
6 enforcement academy and all promoted officers shall serve a
7 probationary period of 12 months from the date of promotion,
8 whereupon their probationary status shall terminate, and they shall
9 acquire regular status in the particular grade, unless given notice
10 in writing to the contrary by the chief prior to the expiration of
11 the probationary period.

12 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.101
13 RCW to read as follows:

14 Subject to the availability of amounts appropriated for this
15 specific purpose, the commission shall administer a law enforcement
16 personnel housing stipend grant program. Grant recipients must live
17 in the community in which they police, and grant awards shall not
18 exceed the average cost of rent in the community in which the law
19 enforcement personnel lives.

20 NEW SECTION. **Sec. 9.** Any provision in a collective bargaining
21 agreement or other agreement entered into or amended after the
22 effective date of this section that is contrary to the provisions of
23 this act is void and unenforceable. No jurisdiction's law, policies,
24 rules, contracts, or other agreements may contravene any of this act.

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