

SENATE BILL REPORT

SB 5068

As Passed Senate, February 5, 2025

Title: An act relating to agencies, firefighters, prosecutors, and general or limited authority law enforcement, extending eligibility for employment to all United States citizens or persons legally authorized to work in the United States under federal law.

Brief Description: Concerning agencies, firefighters, prosecutors, and general or limited authority law enforcement, extending eligibility for employment to all United States citizens or persons legally authorized to work in the United States under federal law.

Sponsors: Senators Lovick, Hansen, Dhingra, Frame, Hasegawa, Liias, Nobles, Salomon, Trudeau, Valdez and Wellman.

Brief History:

Committee Activity: Law & Justice: 1/21/25, 1/23/25 [DP].

Floor Activity: Passed Senate: 2/5/25, 49-0.

Brief Summary of Bill

- Permits law enforcement agencies, civil service agencies including city firefighters, city police, and county sheriff's offices, and prosecuting attorney's offices to consider application from persons legally authorized to work in the United States under federal law.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Holy, Ranking Member; Fortunato, Lovick, Salomon, Torres, Valdez and Wagoner.

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

General authority Washington law enforcement agencies and limited authority Washington law enforcement agencies may consider applicants who are citizens of the United States or lawful permanent residents.

Civil Service Positions. State civil service laws establish a system of employment for professions including city firefighters, city police, and county sheriff's offices. Civil service applicants must be citizens of the United States, lawful permanent residents, or deferred action for childhood arrivals recipients who can speak, read, and write in the English language. Depending on the civil service position, other requirements may apply, including possessing good moral character, and ordinary good health.

Deputy Prosecuting Attorneys. Prosecuting attorneys may appoint one or more deputies. Each appointed deputy prosecuting attorney must meet the same qualification requirements as the principal prosecuting attorney except that such deputies need not be a resident of the county in which they serve.

Fish and Wildlife Officers. Department of Fish and Wildlife officers are general authority peace officers, and generally possess the same powers and duties as sheriffs and peace officers. Applicants for these positions must be citizens of the United States, lawful permanent residents, or deferred action for childhood arrivals recipients who can speak, read, and write in the English language.

Summary of Bill: Citizens of the United States and persons legally authorized to work in the United States under federal law are qualified to apply for positions as peace officers with general authority Washington law enforcement agencies and limited authority Washington law enforcement agencies, civil service positions such as firefighters, city police, and county sheriffs, and deputy prosecuting attorneys.

Appropriation: None.

Fiscal Note: Not requested.

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 will help address the shortfalls Washington is experiencing in civil service hiring, by creating a larger pool of applicants for these important jobs. These offices should represent the communities they serve.

Currently noncitizens cannot apply to many of these roles. This bill builds on the work the Legislature did last year and expands employment opportunities to all people who are legally permitted to work in the United States. This is needed legislation that will help create a safer Washington. This will help with recruitment and retention of civil service employees.

Persons Testifying: PRO: Senator John Lovick, Prime Sponsor; Christina Miyamasu, King County Prosecuting Attorney's Office; Mark Johnson, Washington Retail Association; James McMahan, WA Assoc Sheriffs & Police Chiefs.

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