
SENATE BILL 5209

State of Washington

69th Legislature

2025 Regular Session

By Senators Lovick, Holy, Conway, Dhingra, and Nobles; by request of Department of Labor & Industries

Prefiled 01/09/25. Read first time 01/13/25. Referred to Committee on Law & Justice.

1 AN ACT Relating to explicitly listing the department of labor and
2 industries in the definition of limited authority Washington law
3 enforcement agency while not granting new enforcement authority; and
4 amending RCW 10.93.020.

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

6 **Sec. 1.** RCW 10.93.020 and 2024 c 319 s 2 are each amended to
7 read as follows:

8 As used in this chapter, the following terms have the meanings
9 indicated unless the context clearly requires otherwise.

10 (1) "Agency with primary territorial jurisdiction" means a city
11 or town police agency which has responsibility for police activity
12 within its boundaries; or a county police or sheriff's department
13 which has responsibility with regard to police activity in the
14 unincorporated areas within the county boundaries; or a statutorily
15 authorized port district police agency or four-year state college or
16 university police agency which has responsibility for police activity
17 within the statutorily authorized enforcement boundaries of the port
18 district, state college, or university.

19 (2) "Federal peace officer" means any employee or agent of the
20 United States government who has the authority to carry firearms and

1 make warrantless arrests and whose duties involve the enforcement of
2 criminal laws of the United States.

3 (3) "General authority Washington law enforcement agency" means
4 any agency, department, or division of a municipal corporation,
5 political subdivision, or other unit of local government of this
6 state, and any agency, department, or division of state government,
7 having as its primary function the detection and apprehension of
8 persons committing infractions or violating the traffic or criminal
9 laws in general, as distinguished from a limited authority Washington
10 law enforcement agency, and any other unit of government expressly
11 designated by statute as a general authority Washington law
12 enforcement agency. The Washington state patrol and the department of
13 fish and wildlife are general authority Washington law enforcement
14 agencies.

15 (4) "General authority Washington peace officer" means any fully
16 compensated and elected, appointed, or employed officer of a general
17 authority Washington law enforcement agency who is commissioned to
18 enforce the criminal laws of the state of Washington generally.

19 (5) "Limited authority Washington law enforcement agency" means
20 any agency, political subdivision, or unit of local government of
21 this state, and any agency, department, or division of state
22 government, having as one of its functions the apprehension or
23 detection of persons committing infractions or violating the traffic
24 or criminal laws relating to limited subject areas, including, but
25 not limited to, the state departments of natural resources and social
26 and health services, the state gambling commission, the state lottery
27 commission, the state parks and recreation commission, the state
28 utilities and transportation commission, the state liquor and
29 cannabis board, the office of the insurance commissioner, the state
30 department of corrections, ~~((and))~~ the office of independent
31 investigations, and the state department of labor and industries.

32 (6) "Limited authority Washington peace officer" means any fully
33 compensated officer of a limited authority Washington law enforcement
34 agency empowered by that agency to detect or apprehend violators of
35 the laws in some or all of the limited subject areas for which that
36 agency is responsible. A limited authority Washington peace officer
37 may be a specially commissioned Washington peace officer if otherwise
38 qualified for such status under this chapter.

39 (7) "Mutual law enforcement assistance" includes, but is not
40 limited to, one or more law enforcement agencies aiding or assisting

1 one or more other such agencies through loans or exchanges of
2 personnel or of material resources, for law enforcement purposes.

3 (8) "Primary commissioning agency" means (a) the employing agency
4 in the case of a general authority Washington peace officer, a
5 limited authority Washington peace officer, a tribal peace officer
6 from a federally recognized tribe, or a federal peace officer, and
7 (b) the commissioning agency in the case of a specially commissioned
8 Washington peace officer (i) who is performing functions within the
9 course and scope of the special commission and (ii) who is not also a
10 general authority Washington peace officer, a limited authority
11 Washington peace officer, a tribal peace officer from a federally
12 recognized tribe, or a federal peace officer.

13 (9) "Primary function of an agency" means that function to which
14 greater than fifty percent of the agency's resources are allocated.

15 (10) "Reserve officer" means any person who does not serve as a
16 regularly employed, fully compensated peace officer of this state,
17 but who, when called by an agency into active service, is fully
18 commissioned on the same basis as regularly employed, fully
19 compensated officers to enforce the criminal laws of this state.

20 (11) "Specially commissioned Washington peace officer," for the
21 purposes of this chapter, means any officer, whether part-time or
22 full-time, compensated or not, commissioned by a general authority
23 Washington law enforcement agency to enforce some or all of the
24 criminal laws of the state of Washington, who does not qualify under
25 this chapter as a general authority Washington peace officer for that
26 commissioning agency, specifically including reserve peace officers,
27 and specially commissioned full-time, fully compensated peace
28 officers duly commissioned by the states of Oregon or Idaho or any
29 such peace officer commissioned by a unit of local government of
30 Oregon or Idaho.

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