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**SENATE BILL 5841**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senator Holy

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, 2023, 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,~~  
38 ~~and 2021-2023 fiscal biennia when the employing, county, city, or~~  
39 ~~state law enforcement agency shall reimburse the commission for~~

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

10 (3) Beginning with fiscal year 2023, the commission must provide  
11 up to 25 basic law enforcement training classes each fiscal year. The  
12 commission may adjust class size to manage demand but may not  
13 institute a wait list until 25 classes have been offered. The  
14 legislature must appropriate sufficient funding to the commission for  
15 this purpose.

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