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SENATE BILL 6331

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State of Washington

64th Legislature

2016 Regular Session

By Senators Benton and Angel

Read first time 01/15/16. Referred to Committee on Transportation.

1 AN ACT Relating to Washington state patrol officer compensation  
2 and training costs; amending RCW 43.43.380, 46.68.030, 43.43.050,  
3 82.14.310, and 82.14.320; creating a new section; and providing an  
4 effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes the investment  
7 by the state of Washington and the Washington state patrol in the  
8 recruitment, training, and retention of state troopers. The  
9 legislature also recognizes that the costs of training a single  
10 trooper are not insignificant, and it is important not to enable a  
11 system of qualified employees to be appropriated by outside law  
12 enforcement agencies. Therefore, the legislature proposes to provide  
13 salaries and benefits to state patrol officers that are competitive  
14 with outside law enforcement agencies as well as establish a payback  
15 system for organizations that hire newly trained state troopers.

16 **Sec. 2.** RCW 43.43.380 and 1965 c 8 s 43.43.380 are each amended  
17 to read as follows:

18 The minimum monthly salary and benefits paid to state patrol  
19 officers ((shall)) must be ((as follows: Officers, three hundred  
20 dollars; staff or technical sergeants, three hundred twenty-five

1 dollars; ~~line sergeants, three hundred fifty dollars; lieutenants,~~  
2 ~~three hundred seventy five dollars; captains, four hundred twenty-~~  
3 ~~five dollars)) competitive with comparable law enforcement agencies  
4 within the boundaries of the state of Washington. Adjustments are  
5 intended to maintain the existing salary levels within the fiftieth  
6 percentile of the top five largest Washington state law enforcement  
7 compensation plans.~~

8 **Sec. 3.** RCW 46.68.030 and 2015 3rd sp.s. c 43 s 601 are each  
9 amended to read as follows:

10 (1) The director shall forward all fees for vehicle registrations  
11 under chapters 46.16A and 46.17 RCW, unless otherwise specified by  
12 law, to the state treasurer with a proper identifying detailed  
13 report. The state treasurer shall credit these moneys to the motor  
14 vehicle fund created in RCW 46.68.070.

15 (2) Proceeds from vehicle license fees and renewal vehicle  
16 license fees must be deposited by the state treasurer (~~as follows:~~

17 ~~(a) \$20.35 of each initial or renewal vehicle license fee must be~~  
18 ~~deposited)) in the state patrol highway account in the motor vehicle~~  
19 ~~fund, hereby created. Vehicle license fees, renewal vehicle license~~  
20 ~~fees, and all other funds in the state patrol highway account must be~~  
21 ~~for the sole use of the Washington state patrol for highway~~  
22 ~~activities of the Washington state patrol, subject to proper~~  
23 ~~appropriations and reappropriations.~~

24 ~~((b) \$2.02 of each initial vehicle license fee and \$0.93 of each~~  
25 ~~renewal vehicle license fee must be deposited each biennium in the~~  
26 ~~Puget Sound ferry operations account.~~

27 ~~(c) Any remaining amounts of vehicle license fees and renewal~~  
28 ~~vehicle license fees that are not distributed otherwise under this~~  
29 ~~section must be deposited in the motor vehicle fund.))~~

30 (3) During the 2015-2017 fiscal biennium, the legislature may  
31 transfer from the state patrol highway account to the connecting  
32 Washington account such amounts as reflect the excess fund balance of  
33 the state patrol highway account.

34 **Sec. 4.** RCW 43.43.050 and 1965 c 8 s 43.43.050 are each amended  
35 to read as follows:

36 (1) Washington state patrol officers (~~shall be~~) are entitled to  
37 retain their ranks and positions until death or resignation, or until  
38 suspended, demoted, or discharged in the manner hereinafter provided.

1       (2) Any Washington state local law enforcement agency that  
2 employs a current or former state patrol officer within thirty-six  
3 months of the officer's initial appointment as a state patrol officer  
4 must incur the costs of training the officer. The state treasurer  
5 must withhold from distribution to individual cities and counties  
6 under RCW 82.14.310 and 82.14.320 an amount equal to the costs  
7 incurred by the state patrol in recruiting and training the state  
8 patrol officer, as determined jointly by the state treasurer and the  
9 chief of the Washington state patrol. The amount withheld must be  
10 deposited into the state patrol highway account to be used solely for  
11 the Washington state patrol academy.

12       **Sec. 5.** RCW 82.14.310 and 2013 2nd sp.s. c 4 s 1004 are each  
13 amended to read as follows:

14       (1) The county criminal justice assistance account is created in  
15 the state treasury. Beginning in fiscal year 2000, the state  
16 treasurer must transfer into the county criminal justice assistance  
17 account from the general fund the sum of twenty-three million two  
18 hundred thousand dollars divided into four equal deposits occurring  
19 on July 1, October 1, January 1, and April 1. For each fiscal year  
20 thereafter, the state treasurer must increase the total transfer by  
21 the fiscal growth factor, as defined in RCW 43.135.025, forecast for  
22 that fiscal year by the office of financial management in November of  
23 the preceding year.

24       (2) The moneys deposited in the county criminal justice  
25 assistance account for distribution under this section, less any  
26 moneys deducted under RCW 43.43.050(2) or appropriated for purposes  
27 under subsection (4) of this section, must be distributed at such  
28 times as distributions are made under RCW 82.44.150 and on the  
29 relative basis of each county's funding factor as determined under  
30 this subsection.

31       (a) A county's funding factor is the sum of:

32       (i) The population of the county, divided by one thousand, and  
33 multiplied by two-tenths;

34       (ii) The crime rate of the county, multiplied by three-tenths;  
35 and

36       (iii) The annual number of criminal cases filed in the county  
37 superior court, for each one thousand in population, multiplied by  
38 five-tenths.

39       (b) Under this section and RCW 82.14.320 and 82.14.330:

1 (i) The population of the county or city is as last determined by  
2 the office of financial management;

3 (ii) The crime rate of the county or city is the annual  
4 occurrence of specified criminal offenses, as calculated in the most  
5 recent annual report on crime in Washington state as published by the  
6 Washington association of sheriffs and police chiefs, for each one  
7 thousand in population;

8 (iii) The annual number of criminal cases filed in the county  
9 superior court must be determined by the most recent annual report of  
10 the courts of Washington, as published by the administrative office  
11 of the courts;

12 (iv) Distributions and eligibility for distributions in the  
13 1989-1991 biennium must be based on 1988 figures for both the crime  
14 rate as described under (ii) of this subsection and the annual number  
15 of criminal cases that are filed as described under (iii) of this  
16 subsection. Future distributions must be based on the most recent  
17 figures for both the crime rate as described under (ii) of this  
18 subsection and the annual number of criminal cases that are filed as  
19 described under (iii) of this subsection.

20 (3) Moneys distributed under this section must be expended  
21 exclusively for criminal justice purposes and may not be used to  
22 replace or supplant existing funding. Criminal justice purposes are  
23 defined as activities that substantially assist the criminal justice  
24 system, which may include circumstances where ancillary benefit to  
25 the civil or juvenile justice system occurs, and which includes (a)  
26 domestic violence services such as those provided by domestic  
27 violence programs, community advocates, and legal advocates, as  
28 defined in RCW 70.123.020, and (b) during the 2001-2003 fiscal  
29 biennium, juvenile dispositional hearings relating to petitions for  
30 at-risk youth, truancy, and children in need of services. Existing  
31 funding for purposes of this subsection is defined as calendar year  
32 1989 actual operating expenditures for criminal justice purposes.  
33 Calendar year 1989 actual operating expenditures for criminal justice  
34 purposes exclude the following: Expenditures for extraordinary events  
35 not likely to reoccur, changes in contract provisions for criminal  
36 justice services, beyond the control of the local jurisdiction  
37 receiving the services, and major nonrecurring capital expenditures.

38 (4) Not more than five percent of the funds deposited to the  
39 county criminal justice assistance account may be available for  
40 appropriations for enhancements to the state patrol crime laboratory

1 system and the continuing costs related to these enhancements. Funds  
2 appropriated from this account for such enhancements may not supplant  
3 existing funds from the state general fund.

4 (5) During the 2011-2013 fiscal biennium, the amount that would  
5 otherwise be transferred into the county criminal justice assistance  
6 account from the general fund under subsection (1) of this section  
7 must be reduced by 3.4 percent.

8 (6) During the 2013-2015 fiscal biennium, for the purposes of  
9 substance abuse and other programs for offenders, the legislature may  
10 appropriate from the county criminal justice assistance account such  
11 amounts as are in excess of the amounts necessary to fully meet the  
12 state's obligations to the counties and to the Washington state  
13 patrol. Excess amounts in this account are not the result of  
14 subsection (5) of this section.

15 **Sec. 6.** RCW 82.14.320 and 2011 1st sp.s. c 50 s 971 are each  
16 amended to read as follows:

17 (1) The municipal criminal justice assistance account is created  
18 in the state treasury. Beginning in fiscal year 2000, the state  
19 treasurer must transfer into the municipal criminal justice  
20 assistance account for distribution under this section from the  
21 general fund the sum of four million six hundred thousand dollars  
22 divided into four equal deposits occurring on July 1, October 1,  
23 January 1, and April 1. For each fiscal year thereafter, the state  
24 treasurer must increase the total transfer by the fiscal growth  
25 factor, as defined in RCW 43.135.025, forecast for that fiscal year  
26 by the office of financial management in November of the preceding  
27 year.

28 (2) No city may receive a distribution under this section from  
29 the municipal criminal justice assistance account unless:

30 (a) The city has a crime rate in excess of one hundred twenty-  
31 five percent of the statewide average as calculated in the most  
32 recent annual report on crime in Washington state as published by the  
33 Washington association of sheriffs and police chiefs;

34 (b) The city has levied the tax authorized in RCW 82.14.030(2) at  
35 the maximum rate or the tax authorized in RCW 82.46.010(3) at the  
36 maximum rate; and

37 (c) The city has a per capita yield from the tax imposed under  
38 RCW 82.14.030(1) at the maximum rate of less than one hundred fifty

1 percent of the statewide average per capita yield for all cities from  
2 such local sales and use tax.

3 (3) The moneys deposited in the municipal criminal justice  
4 assistance account for distribution under this section, less any  
5 moneys deducted under RCW 43.43.050(2) or appropriated for purposes  
6 under subsection (7) of this section, must be distributed at such  
7 times as distributions are made under RCW 82.44.150. The  
8 distributions must be made as follows:

9 (a) Unless reduced by this subsection, thirty percent of the  
10 moneys must be distributed ratably based on population as last  
11 determined by the office of financial management to those cities  
12 eligible under subsection (2) of this section that have a crime rate  
13 determined under subsection (2)(a) of this section which is greater  
14 than one hundred seventy-five percent of the statewide average crime  
15 rate. No city may receive more than fifty percent of any moneys  
16 distributed under this subsection (a) but, if a city distribution is  
17 reduced as a result of exceeding the fifty percent limitation, the  
18 amount not distributed must be distributed under (b) of this  
19 subsection.

20 (b) The remainder of the moneys, including any moneys not  
21 distributed in subsection (2)(a) of this section, must be distributed  
22 to all cities eligible under subsection (2) of this section ratably  
23 based on population as last determined by the office of financial  
24 management.

25 (4) No city may receive more than thirty percent of all moneys  
26 distributed under subsection (3) of this section.

27 (5) Notwithstanding other provisions of this section, the  
28 distributions to any city that substantially decriminalizes or  
29 repeals its criminal code after July 1, 1990, and that does not  
30 reimburse the county for costs associated with criminal cases under  
31 RCW 3.50.800 or 3.50.805(2), must be made to the county in which the  
32 city is located.

33 (6) Moneys distributed under this section must be expended  
34 exclusively for criminal justice purposes and may not be used to  
35 replace or supplant existing funding. Criminal justice purposes are  
36 defined as activities that substantially assist the criminal justice  
37 system, which may include circumstances where ancillary benefit to  
38 the civil justice system occurs, and which includes domestic violence  
39 services such as those provided by domestic violence programs,  
40 community advocates, and legal advocates, as defined in RCW

1 70.123.020, and publications and public educational efforts designed  
2 to provide information and assistance to parents in dealing with  
3 runaway or at-risk youth. Existing funding for purposes of this  
4 subsection is defined as calendar year 1989 actual operating  
5 expenditures for criminal justice purposes. Calendar year 1989 actual  
6 operating expenditures for criminal justice purposes exclude the  
7 following: Expenditures for extraordinary events not likely to  
8 reoccur, changes in contract provisions for criminal justice  
9 services, beyond the control of the local jurisdiction receiving the  
10 services, and major nonrecurring capital expenditures.

11 (7) Not more than five percent of the funds deposited to the  
12 municipal criminal justice assistance account may be available for  
13 appropriations for enhancements to the state patrol crime laboratory  
14 system and the continuing costs related to these enhancements. Funds  
15 appropriated from this account for such enhancements may not supplant  
16 existing funds from the state general fund.

17 (8) During the 2011-2013 fiscal biennium, the amount that would  
18 otherwise be transferred into the municipal criminal justice  
19 assistance account from the general fund under subsection (1) of this  
20 section must be reduced by 3.4 percent.

21 NEW SECTION. **Sec. 7.** This act takes effect January 1, 2017.

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