

HOUSE BILL REPORT

SB 6145

As Passed House:
February 27, 2018

Title: An act relating to civil service qualifications.

Brief Description: Addressing civil service qualifications.

Sponsors: Senators Saldaña, Keiser, Dhingra and Kuderer.

Brief History:

Committee Activity:

Labor & Workplace Standards: 2/15/18, 2/20/18 [DP].

Floor Activity:

Passed House: 2/27/18, 84-14.

Brief Summary of Bill

- Provides that city police and fire department and county sheriff civil service applicants may be lawful permanent residents as an alternative to United States citizens.
- Allows a city police or county sheriff law enforcement agency to reject an application if the agency deems that it does not have the resources to conduct the background investigation.
- Changes the background investigation for a fully commissioned peace officer or reserve officer to include proof of lawful permanent resident status as an alternative to United States citizenship.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 6 members: Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Ranking Minority Member; Doglio, Frame and Manweller.

Staff: Joan Elgee (786-7106).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Law Enforcement.

Under state law, United States (US) citizenship is required for city police and county sheriff civil service positions. Separate laws require the police chief and sheriff to be US citizens.

Cities with more than six commissioned officers, including the chief, may exclude a number of positions from civil service depending on the size of the city. Civil service is not required for very small cities. For county sheriff's offices, all employees are classified as civil service, except that the county may exclude a number of positions depending on the size of the office.

The Criminal Justice Training Commission (CJTC) certifies applicants for fully commissioned peace officer positions. The CJTC has the power to require county, city, and state law enforcement agencies to administer a background investigation of applicants for these positions. Under the CJTC rules, proof of US citizenship is required. Peace officers include, in addition to city and county law enforcement officers, commissioned Washington State Patrol officers and Department of Fish and Wildlife officers with enforcement powers for all criminal laws.

Fire Departments.

State law also requires US citizenship for city fire department civil service positions. All full-paid positions are classified as civil service, except that a city may exclude the chief. A fire protection district may also provide for civil service.

Lawful Permanent Residents.

Under federal immigration law, a person "lawfully admitted for permanent residence" is a person who has been lawfully accorded the privilege of residing permanently in the US as an immigrant. These persons are also known as green card holders. A person may become a lawful permanent resident through family, a job, or through other specified means.

Summary of Bill:

Lawful permanent resident status is an alternative to the requirement that city police and sheriff, and city fire department civil service applicants be US citizens. The laws specifying requirements for civil service applicants are clarified to apply only to the respective civil service law. Citizenship continues to be a requirement for sheriffs and police chiefs. A city police or county sheriff law enforcement agency may reject an application if the agency deems that it does not have the resources to conduct the required background investigation. Resource means materials, funding, and staff time. An applicant's rights under state anti-discrimination laws are not impaired.

The background investigation for a fully commissioned peace officer or reserve officer includes verification of immigrant or citizen status as either a citizen of the US or a lawful permanent resident. This qualification applies to city and county law enforcement personnel, Washington State Patrol officers, and Department of Fish and Wildlife officers with enforcement powers for all criminal laws.

A "lawful permanent resident" is a person "lawfully admitted for permanent residence" under federal law.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) People living in this country who can join the military should be able to protect their home communities. This bill will also help assure that police and fire departments reflect the diversity of their communities.

(Opposed) None.

Persons Testifying: David Foster, King County.

Persons Signed In To Testify But Not Testifying: None.