

SENATE BILL REPORT

SB 6145

As Reported by Senate Committee On:
Labor & Commerce, January 22, 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 & Commerce: 1/18/18, 1/22/18 [DP].

Brief Summary of Bill

- Provides that city firefighter, city police, and county sheriff civil service applicants may be lawful permanent residents as an alternative to United States citizens.
- Authorizes 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.
- Modifies the background investigation for a fully commissioned peace officer or reserve officer to include proof of lawful permanent residence or United States citizenship.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun, Conway, King, Kuderer, Saldaña and Wilson.

Staff: Jarrett Sacks (786-7448)

Background: Civil Service Requirements. Under state law, United States citizenship is a qualification requirement for applicants of city police, city firefighter, and county sheriff civil service positions. Separate laws require police chiefs and sheriffs to be United States citizens.

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.

Most city police employees are classified civil service employees. For police departments with fewer than six commissioned officers, all full-time paid employees are classified civil service. For police departments with more than six employees, the police chief may be exempt from civil service. Depending on the number of employees in the police department, the law allows for additional unclassified positions.

With the exception of fire chiefs, all full-paid employees of municipal fire departments are classified civil service employees. Fire protection districts and regional fire protection service authorities may provide for civil service.

Employees of county sheriff's offices are also classified civil service employees, except that the county may exclude a number of positions depending on the size of the sheriff's office.

Criminal Justice Training Commission (CJTC). The CJTC certifies applicants for fully commissioned peace officer and reserve officer positions. The CJTC can require county, city, and state law enforcement agencies to administer a background investigation of applicants for these positions. Under CJTC rules, proof of United States 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.

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 United States as an immigrant. Proof of permanent residency is commonly referred to as a green card.

Summary of Bill: As an alternative to being a United States citizen, applicants for city firefighter, city police, and county sheriff civil service positions may be lawful permanent residents of the United States. A city police or county sheriff may reject an application if the agency deems it does not have the resources to conduct the required background investigation. Resources means materials, funding, and staff time. An applicant's rights under state antidiscrimination laws are not impaired.

The background investigation for a fully commissioned peace officer or reserve officer includes verification of immigration or citizenship status as either a citizen of the United States or a lawful permanent resident.

Lawful permanent resident is a person lawfully admitted for permanent residence under federal law.

Appropriation: None.

Fiscal Note: Available.

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 has had bipartisan support in previous years. It will increase the number of qualified candidates for positions that counties and cities are having a tough time filling. The bill also helps ensure that the makeup of a police force reflect the diversity of the community in which they work. The bill does not force law enforcement agencies to hire permanent residents, it just gives permanent residents the chance to apply.

Persons Testifying: PRO: Senator Rebecca Saldaña, Prime Sponsor; Dave Foster, King County.

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