

2 **SSB 6316 - H COMM AMD ADOPTED 03/02/94**

3 By Committee on Local Government

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5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 36.28.025 and 1979 ex.s. c 153 s 6 are each amended  
8 to read as follows:

9 ~~((A person who files a declaration of candidacy for the office of  
10 sheriff after September 1, 1979, shall have, within twelve months of  
11 assuming office, a certificate of completion of a basic law enforcement  
12 training program which complies with standards adopted by the criminal  
13 justice training commission pursuant to RCW 43.101.080 and 43.101.160.~~

14 ~~This requirement does not apply to persons holding the office of  
15 sheriff in any county on September 1, 1979.))~~ (1) On and after November  
16 9, 1994, except as otherwise provided in this section, no person is  
17 eligible to be a candidate for sheriff or hold the office of sheriff  
18 and no person may be elected or appointed to the office of sheriff or  
19 continue to hold the office of sheriff unless at the time of filing the  
20 person:

21 (a) Is a registered voter in the county in which the candidate is  
22 filing;

23 (b) Has been awarded a high school diploma or a recognized  
24 equivalent of a high school diploma;

25 (c) Has not been convicted of or pleaded guilty to a felony under  
26 the laws of this state, another state, or the United States;

27 (d) Has not been convicted of a gross misdemeanor or any crime  
28 involving moral turpitude within the past ten years;

29 (e) Has been fingerprinted by the state patrol within the last  
30 sixty days;

31 (f) Has a certificate of completion of a basic law enforcement  
32 training program which complies with standards adopted by the criminal  
33 justice training commission pursuant to RCW 43.101.080. Completion of  
34 the state patrol's academy shall constitute meeting the standards set  
35 by the criminal justice training commission. If the certificate of  
36 completion is not obtained prior to the date of assuming office, the

1 person shall have twelve months after assuming office to obtain the  
2 certificate of completion. The criminal justice training commission  
3 shall not require a newly elected or appointed sheriff to participate  
4 in the physical training portion of basic law enforcement training.  
5 This subsection does not apply to any persons holding the office of  
6 sheriff in any county on September 1, 1994;

7 (g) Has completed at least three years of full-time law enforcement  
8 employment involving enforcement responsibilities with a government law  
9 enforcement agency.

10 This subsection shall be waived for any candidate filing during a  
11 special filing period when after the regular filing period no one  
12 qualified under this section has filed to run for the office of  
13 sheriff. When an appointment is being made to the office of sheriff,  
14 the appointing authority must seek individuals who are qualified under  
15 this section. However, this section may be waived when there are no  
16 applicants who meet these requirements.

17 (2)(a) If the county auditor determines that a candidate does not  
18 meet the qualifications described in subsection (1) of this section,  
19 and does not qualify for the waiver in subsection (1)(g) of this  
20 section, the county auditor shall disqualify the candidate and the name  
21 of the disqualified candidate shall not appear on the general election  
22 ballot. If election ballots for the office have been ordered, votes  
23 cast for the disqualified candidate at the general election for the  
24 office shall not be counted for that office.

25 (b) The county prosecutor or any interested citizen may bring an  
26 action in superior court to declare the office of sheriff vacant if the  
27 sheriff does not meet the qualifications described in subsection (1) of  
28 this section.

29 (3) Every sheriff must obtain thirty training hours of continuing  
30 education each year as certified, or otherwise approved, by the  
31 criminal justice training commission.

32 (4) For the purposes of this section, "county auditor" has the  
33 meaning provided in RCW 29.01.043.

34 (5) The Washington state patrol shall search local, state, and  
35 national fingerprint files to disclose any criminal record as described  
36 in subsection (1) (c) and (d) of this section. If such an offense is

1 discovered, the state patrol shall notify the county auditor for the  
2 county in which the sheriff candidate is running or holds office."

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