
SUBSTITUTE SENATE BILL 6316

State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Haugen, A. Smith, Oke, M. Rasmussen, Loveland, Winsley and Ludwig)

Read first time 02/04/94.

1 AN ACT Relating to minimum qualifications for the office of
2 sheriff; and amending RCW 36.28.025.

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

4 **Sec. 1.** RCW 36.28.025 and 1979 ex.s. c 153 s 6 are each amended to
5 read as follows:

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

11 ~~This requirement does not apply to persons holding the office of~~
12 ~~sheriff in any county on September 1, 1979.))~~ (1) On and after November
13 9, 1994, except as otherwise provided in this section, no person is
14 eligible to be a candidate for sheriff or hold the office of sheriff
15 and no person may be elected or appointed to the office of sheriff or
16 continue to hold the office of sheriff unless at the time of filing the
17 person:

18 (a) Is a registered voter in the county in which the candidate is
19 filing;

1 (b) Has been awarded a high school diploma or a recognized
2 equivalent of a high school diploma;

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

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

7 (e) Has been fingerprinted by the state patrol within the last
8 sixty days;

9 (f) Has a certificate of completion of a basic law enforcement
10 training program which complies with standards adopted by the criminal
11 justice training commission pursuant to RCW 43.101.080. Completion of
12 the state patrol's academy shall constitute meeting the standards set
13 by the criminal justice training commission. If the certificate of
14 completion is not obtained prior to the date of assuming office, the
15 person shall have twelve months after assuming office to obtain the
16 certificate of completion. The criminal justice training commission
17 shall not require a newly elected or appointed sheriff to participate
18 in the physical training portion of basic law enforcement training.
19 This subsection does not apply to any persons holding the office of
20 sheriff in any county on September 1, 1994;

21 (g) Has completed at least two years of full-time law enforcement
22 employment involving enforcement responsibilities with a government law
23 enforcement agency or has at least two years full-time experience as a
24 corrections officer for a government agency; or has at least two years
25 of law enforcement or correctional management experience.

26 This subsection shall be waived for any candidate filing during a
27 special filing period when after the regular filing period no one
28 qualified under this section has filed to run for the office of
29 sheriff. When an appointment is being made to the office of sheriff,
30 the appointing authority must seek individuals who are qualified under
31 this section. However, this section may be waived when there are no
32 applicants who meet these requirements.

33 (2)(a) If the county auditor determines that a candidate does not
34 meet the qualifications described in subsection (1) of this section,
35 and does not qualify for the waiver in subsection (1)(g) of this
36 section, the county auditor shall disqualify the candidate and the name
37 of the disqualified candidate shall not appear on the general election
38 ballot. If election ballots for the office have been ordered, votes

1 cast for the disqualified candidate at the general election for the
2 office shall not be counted for that office.

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

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

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

12 (5) The Washington state patrol shall search local, state, and
13 national fingerprint files to disclose any criminal record as described
14 in subsection (1) (c) and (d) of this section. If such an offense is
15 discovered, the state patrol shall notify the county auditor for the
16 county in which the sheriff candidate is running or holds office.

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