
SENATE BILL 6316

State of Washington

53rd Legislature

1994 Regular Session

By Senators Haugen, A. Smith, Oke, M. Rasmussen, Loveland, Winsley and Ludwig

Read first time 01/19/94. Referred to Committee on Government Operations.

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 the person meets all of
17 the following requirements:

18 (a) Is a citizen of the United States;

19 (b) Is a registered voter;

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

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

5 (e) Has not been convicted of a gross misdemeanor or any crime
6 involving moral turpitude within ten years of the date of election for
7 sheriff;

8 (f) Is fingerprinted by the Washington state patrol, and the
9 Washington state patrol shall search local, state, and national
10 fingerprint files to disclose any criminal record as described in (d)
11 and (e) of this subsection. If such an offense is discovered, the
12 Washington state patrol shall notify the county auditor in which the
13 sheriff candidate is running for or holds office;

14 (g) Has a certificate of completion of a basic law enforcement
15 training program which complies with standards adopted by the criminal
16 justice training commission pursuant to RCW 43.101.080. Completion of
17 the Washington state patrol's academy shall constitute meeting the
18 standards set by the criminal justice training commission. If the
19 certificate of completion is not obtained prior to the date for
20 assuming office, the person shall have twelve months after assuming
21 office to obtain the certificate of completion. The criminal justice
22 training commission shall not require a newly elected or appointed
23 sheriff to participate in the physical training portion of basic law
24 enforcement training. This subsection (1)(g) does not apply to any
25 persons holding the office of sheriff in any county on September 1,
26 1994;

27 (h) Has completed at least four years of full-time law enforcement
28 employment involving enforcement responsibilities with a government law
29 enforcement agency or has at least four years full-time experience as
30 a corrections officer for a government agency; and has at least two
31 years of law enforcement or correctional management experience, or in
32 place of two years of law enforcement or correctional management
33 experience, has completed satisfactorily at least two years of
34 postsecondary education.

35 This subsection (1)(h) shall be waived for any candidate filing
36 during the special filing period when after the regular filing period
37 no one qualified under this section has filed to run for the office of
38 sheriff. When an appointment is being made to the office of sheriff,
39 the appointing authority must seek individuals who are qualified under

1 this section. However, this section may be waived when there are no
2 applicants who meet these requirements.

3 (2)(a) If the county auditor determines that a candidate does not
4 meet the qualifications described in subsection (1) of this section,
5 and does not qualify for the waiver in subsection (1)(h) of this
6 section, the county auditor shall disqualify the candidate and the name
7 of the disqualified candidate shall not appear on the general election
8 ballot. If election ballots for the office have been ordered, votes
9 cast for the disqualified candidate at the general election for the
10 office shall not be counted for that office.

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

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

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

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