HOUSE BILL REPORT
ESHB 2015

As Passed Legislature

Title: An act relating to improving public safety funding by providing resources to local governments and state and local criminal justice agencies, and authorizing a local option tax.

Brief Description: Improving public safety funding by providing resources to local governments and state and local criminal justice agencies, and authorizing a local option tax.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Entenman, Reeves, Berg, Morgan, Santos, Pollet, Donaghy, Doglio, Salahuddin, Chase, Obras, Parshley, Walen, Stearns and Thai).

Brief History:

Committee Activity:

Finance: 2/24/25, 2/25/25 [DP];
Appropriations: 2/27/25, 2/28/25 [DPS].

Floor Activity:

Passed House: 3/11/25, 54-42.
Senate Amended.
Passed Senate: 4/16/25, 30-19.
House Concurred.
Passed House: 4/22/25, 55-42.
Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Creates a Local Law Enforcement Grant (Grant) Program to be administered by the Criminal Justice Training Commission (CJTC).
- Authorizes a new local 0.1 percent sales and use tax for criminal justice purposes.
- Requires reports on the use of the new local sales and use tax revenues

---

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

from the Association of Washington Cities and the Washington State Association of Counties.

- Requires annual reports from the CJTC on the Grant program.
- Requires a report from the Washington Association of Police Chiefs and Sheriffs on the law enforcement personnel employed as general authority Washington Peace officers for each local law enforcement agency from 2020 through 2025.

HOUSE COMMITTEE ON FINANCE

Majority Report: Do pass. Signed by 11 members: Representatives Berg, Chair; Street, Vice Chair; Chase, Mena, Parshley, Ramel, Santos, Scott, Springer, Walen and Wylie.

Minority Report: Do not pass. Signed by 4 members: Representatives Orcutt, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Abell and Penner.

Staff: Tracey Taylor (786-7152).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Ormsby, Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg, Bergquist, Cortes, Doglio, Fitzgibbon, Leavitt, Lekanoff, Peterson, Pollet, Ryu, Springer, Stonier, Street, Thai and Tharinger.

Minority Report: Do not pass. Signed by 12 members: Representatives Couture, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Penner, Assistant Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Burnett, Caldier, Corry, Dye, Keaton, Manjarrez, Marshall and Rude.

Staff: Sydney Jeffrey (786-7303).

Background:

Retail Sales and Use Tax.
Retail sales taxes are imposed on retail sales of most articles of tangible personal property, digital products, and some services. A retail sale is a sale to the final consumer or end user of the property, digital product, or service. If retail sales taxes are not collected when the user acquires the property, digital product, or service, then use tax applies to the value of property, digital product, or service when used in this state.

The state, all counties, and all cities levy retail sales and use taxes. The state sales and use tax rate is 6.5 percent; local sales and use tax rates vary from 0.5 percent to 4.1 percent, depending on the location.

Local Sales and Use Taxes.
Counties, cities, and towns were first granted the authority to impose a local sales and use tax in 1970. There is a basic 0.5 percent sales and use tax and an optional 0.5 percent sales and use tax. The revenues from these two sales and use taxes are unrestricted and may be used for any lawful government purpose.

When both the city and the county impose the basic sales and use tax, the county must credit back the full amount of the city's basic sales and use tax so that the combined rate does not exceed 0.5 percent. However, the first 15 percent of the basic sales and use tax collected within the city must be distributed to the county. This is also the case with the optional sales and use tax.

There are other optional sales and use taxes that may be imposed; however, the revenues from these sales and use taxes are restricted to specific purposes. For example, the cultural access program sales and use tax of 0.1 percent must be used to benefit or expand access to nonprofit cultural organizations. Many of the optional local sales and use taxes require voter approval.

There are also local option sales and use taxes that may be credited against the state portion of the sales tax. This means that the consumer will not pay more sales tax when the local government levies the sales and use tax. Instead, the state collects less revenue as its rate is reduced. Local option sales and use taxes credited against the state portion include the affordable housing sales and use tax and the rural county public facilities district sales and use tax.

Criminal Justice Sales and Use Tax.
One local option sales and use tax is the criminal justice sales and use tax. The tax may be imposed by any county; however, the revenue must be shared with cities. Ten percent of the revenue is distributed to the county, while the remaining 90 percent is shared between the county and its cities on a per capita basis. The imposition of this tax does not require voter approval.

The criminal justice sales and use tax rate is 0.1 percent and the revenues must be used for criminal justice purposes. "Criminal justice purposes" means activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil justice system occurs, and which includes domestic violence services such as those provided by domestic violence programs, community advocates, and legal advocates.

Public Safety Sales and Use Tax.
Another local option sales and use tax is the public safety sales and use tax. Any county

may impose a sales and use tax of up to 0.3 percent with voter approval. Cities and towns may also impose a public safety sales and use tax, with a lower maximum rate of 0.1 percent. However, the combined city and county rate may not exceed 0.3 percent.

If both the city and the county impose the public safety sales and use tax, the revenues must be shared; however, the distribution formula depends on which jurisdiction placed the issue on the ballot. The county retains 60 percent of any countywide public safety tax revenues, while the remaining 40 percent is distributed to the cities within the county on a per capita basis. If the city imposes a public safety sales and use and tax, the city retains 85 percent of the revenues and must share 15 percent with the county.

At least one-third of the revenue may be used for criminal justice purposes, fire protection purposes, or both. The remaining two-thirds are unrestricted and may be used for any lawful governmental purposes but must be spent in accordance with the purpose specified in the ballot measure.

The Washington State Criminal Justice Training Commission.
The Washington State Criminal Justice Training Commission (CJTC) provides education and training to law enforcement and correctional officers, including the Basic Law Enforcement Academy and the Corrections Officers Academy. The CJTC also has the authority to certify and decertify peace officers and corrections officers.

Keep Washington Working Act.
In 2019 the Legislature passed the Keep Washington Working Act (KWWA), which made numerous changes to state law for the stated purpose of "ensuring the state of Washington remains a place where the rights and dignity of all residents are maintained and protected in order to keep Washington working."

The KWWA required the Attorney General's Office (AGO) to publish model policies, guidance, and training recommendations. The KWWA requires all Washington public schools, courthouses, publicly operated Washington health facilities, and Washington law enforcement agencies to: (1) adopt policies consistent with those published by the AGO; or (2) notify the AGO that they are not adopting the necessary changes, state the reasons why they are not doing so, and provide the AGO with a copy of the agency's policies that ensure compliance with the KWWA.

In addition, state and local law enforcement agencies, school resource officers, and security departments may not provide information to federal immigration authorities for civil immigration enforcement or provide nonpublic personal information about an individual to federal immigration authorities in noncriminal matters unless required by law. Any person in state or local custody, including those in community custody or Department of Corrections (DOC) physical custody, must be informed of their right to refuse an interview by federal immigration enforcement authorities. The state must not accept language services, even at no cost, from federal immigration authorities. A person in DOC custody

must be informed of their right to refuse early release for the purpose of deportation. The DOC may not take a person into custody, or hold someone in custody, solely for determining their immigration status, or based solely on a civil immigration warrant or immigration hold request.

In accordance with federal law, state or local agencies or officers may send and receive information to and from federal immigration authorities and exchange information with other federal, state, or local government agencies about immigration or citizen status of an individual.

Summary of Engrossed Substitute Bill:

New Local Sales and Use Tax.
By June 30, 2028, the legislative authority of a city or county may approve a sales and use tax of 0.1 percent. However, if the city or county voters have rejected the imposition of the local criminal justice sales and use tax or the local public safety sales and use tax within the past 12 months, the city or county may not impose the new sales and use tax. If a city or county legislative authority has not adopted a resolution or ordinance to impose the tax by June 30, 2028, the city or county may submit an authorizing proposition to the city or county voters at a primary or general election to impose the tax. The imposition and collection of the new sales and use tax may only occur if and when the city or county receives a CJTC Local Law Enforcement Grant (Grant).

Cities or counties may impose this tax only if the city or county meets the requirements to receive grant funding from the Grant program created under the act. A city or county that has not issued and implemented policies and practices are required under the grant application requirements may not impose the tax. To establish that a city or county qualifies to impose the tax, the city or county must submit documentation to the CJTC demonstrating the city or county meets the requirements of the grant application. If the CJTC, in consultation with the AGO is unable to verify the submittal with 45 calendar days, CJTC must notify the agency of any deficiencies.

If a city or county receives a notice of deficiencies, the city or county may, conditioned on the city or county submitting supplemental documentation rectifying the stated deficiencies, authorize the tax. CJTC must review this supplemental documentation and notify the city or county of any outstanding deficiencies within 45 days of receipt of the supplemental documentation. If the city or county has not rectified all deficiencies within 180 calendar days of its initial submittal of documentation as verified by the CJTC, the Office of the State Treasurer must withhold $100,000 of the tax collected per month until the city or county comes into compliance as verified by the CJTC.

The moneys from this tax must be used for criminal justice purposes. Criminal justice purposes means activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil justice system occurs, and which

includes:

- domestic violence services such as those provided by domestic violence programs, community advocates, and legal advocates;
- staffing adequate public defenders to provide appropriate defense for individuals;
- diversion programs;
- reentry work for inmates;
- local government programs that have reasonable relationship to reducing the numbers of people interacting with the criminal justice system;
- community placements for juveniles; and
- community outreach and assistance programs, alternative response programs, and mental health crisis response.

A Local Law Enforcement Grant Program is created and will be administered by the CJTC. Subject to the amounts appropriated, the Grant program is to provide direct support to local and tribal law enforcement agencies in hiring, retaining, and training law enforcement officers to increase community policing and public safety.

The CJTC must establish procedures and policies for submitting grant applications, which must be published on the CJTC website as well as publishing the criteria for evaluating and selecting grant recipients. The CJTC must create a grant application and require reports from grant recipients that must include certain metrics, including how funding impacts retention rates and improved position vacancy rates and the percent of officer compliance with the CJTC's 40-hour crisis intervention team training and trauma-informed training.

In order to qualify for a grant, a local or tribal law enforcement agency must have:

- issued and implemented policies consistent with the KWWA;
- participated in required commission training relating to violence de-escalation and duty to render aid;
- issued and implemented policies in compliance with all CJTC and AGO model policies for law enforcement including, but not limited to, duty to intervene and canine;
- implemented use of force data collection and reporting;
- issued and implemented policies and practices related to laws addressing firearm relinquishment pursuant to court orders and domestic violence 911 response requirements;
- a 25 percent officer compliance rate with the commission's 40-hour crisis intervention team training;
- a chief of police, marshal, or sheriff who is certified by CJTC and who has not been convicted of a felony or convicted of a gross misdemeanor involving moral turpitude, dishonesty, fraud, or corruption; and
- policies that prohibit volunteers who assist with agency work from enforcing criminal laws, other than for assistance with special event traffic, and parking, and that set forth the required supervision of volunteers.

To qualify for a grant from CJTC, a law enforcement agency must also provide CJTC a detailed staffing plan specifying:

- the total number of commissioned officers currently employed by the agency;
- the total number of specially commissioned officers currently employed by the agency;
- the total number of co-response teams established within the agency and what staffing are included in each co-response team;
- the total number of administrative staff currently employed;
- the number of officers on flexible work schedules;
- the average 911 response rate of the agency over the previous 12-month period; and
- the average case closure rate of the agency over the previous 12-month period.

The law enforcement agency must also receive funding from a local government that has: authorized the new sales and use tax authorized under this act; imposed the local criminal justice sales and use tax; or imposed the local public safety sales and use tax.

Grant funding awarded to qualified local or tribal law enforcement agencies may only be used for:

- recruiting new law enforcement officers from the community in which the officer will be working;
- funding use-of-force, de-escalation, crisis intervention, and trauma-informed training for newly hired officers; and
- funding broader law enforcement and public safety efforts.

Grant funding may be used for:

- recruiting and funding new law enforcement officers from the community in which the officer will be working, and recruiting and funding county corrections officers, peer counselors, and behavioral health personnel working in co-response in Washington. Grants may provide up to 75 percent of the entry-level salaries and fringe benefits of full-time local or tribal law enforcement officers for a maximum of 36 months, with a minimum 25 percent local cash match requirement and a maximum state share of $125,000 per position;
- use of force, de-escalation, crisis intervention, and trauma-informed trainings for officers to remain in compliance with CJTC's required trainings; and
- broader law enforcement and public safety efforts to include emergency management planning, environmental hazard mitigations, security personnel, community outreach and assistance programs, alternative response programs, and mental health crisis response.

CJTC may provide law enforcement agencies an advance on grant funding for the sole purpose of the law enforcement agency coming into compliance with the training requirements of the grant application.

In selecting grant recipients, CJTC must prioritize applicants in the following order:

- law enforcement agencies seeking grants to establish co-response teams or community immersion law enforcement programs;
- law enforcement agencies who currently maintain co-response teams and who are seeking grants to hire additional law enforcement officers; and
- all other applicants.

The Grant program expires June 30, 2028.

The Supplemental Criminal Justice Account.
The Supplemental Criminal Justice Account is created in the state treasury. All receipts from legislative appropriations, donations, gifts, grants, and funds from federal or private sources must be deposited into the account. Expenditures from the account must be used exclusively for the Grant program for the purposes of providing direct support to local and tribal law enforcement officers, peer counselors, and behavioral health personnel working in co-response to increase community policing and public safety. Only the CJTC or CJTC's designee may authorize expenditures from the account. Moneys may not be used to supplant general fund appropriations.

Criminal Justice Training Commission Report.
Effective July 21, 2026, and annually thereafter until December 31, 2029, CJTC must report to the fiscal committees of the Legislature on:
- the total count of Grant applications received by CJTC by fiscal year (FY);
- the total count of law enforcement officer positions applied for by FY;
- the total count of grant funding requested by FY;
- the name of each law enforcement agency that applied for grants, how many officers they requested funding for, and how much state funding they requested by FY; and
- the count of grants awarded, to include the name of each of the law enforcement agencies that received grants, how many officers they received funding for, and how much state funding was awarded by FY.

Washington Association of Police Chiefs and Sheriffs Report.
By January 1, 2026, the Washington Association of Police Chiefs and Sheriffs (WASPC) must complete a report on law enforcement personnel employed as general authority Washington peace officers, as defined in statute, over time for each local law enforcement agency in Washington from 2020 through 2025—specifically on July 1 of each year. The report must include:
- the count of general authority Washington peace officers positions;
- the count of filled general authority Washington peace officers positions;
- the count of vacant general authority Washington peace officer positions; and
- the count of retirements of general authority Washington peace officer positions over the past 12 calendar months.

The report must also include a table to show the above data and in turn the vacancy rates and turnover rates for each local law enforcement agency as well as a compiled statewide

view of vacancy and turnover rates for general authority Washington peace officers year over year.

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 (Finance):

(In support) A lot of work has been done by the Legislature on the topics of police accountability, making sure our communities are safe, and defining what public safety looks like. Public safety does include police, but it also includes much more. This bill is the first step towards starting a conversation with the Governor's office regarding the Governor's request to spend $100 million dollars for law enforcement. This issue must be examined closely to ensure communities receive funding for not only police, but also for increased services for those who need assistance. Public safety is also housing the homeless, pursuing economic development in underdeveloped communities, and providing opportunities for young people through after-school and summer employment programs. There is a state budget deficit this year and that is why this bill includes the local-option tax component.

Washington ranks last in the number of law enforcement officers per capita in the country. The Governor is in support of this bill and hopes to continue to work with the Legislature as this bill advances. This bill will provide cities and counties with the opportunity to further invest in their communities while also creating a flexible grant program via the Criminal Justice Training Commission to assist local governments in hiring first responders. This bill will help all counties to continue to provide critical criminal justice services to their communities. This bill will particularly help King County as it faces a general fund deficit because the criminal justice system makes up 75 percent of King County's general fund expenditures.

This bill is a compilation of the best parts of several other public safety funding proposals that have been heard previously.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) Washington is fifty-first in the nation for law enforcement officers per capita, has been for the last 14 consecutive years, and is falling even further behind. The state does not have enough law enforcement officers, prosecutors, public defenders, or enough treatment programs for those who are being impacted by organized crime rings. This bill is

the sixth piece of legislation heard in the House of Representatives this session that works toward the shared goal of improving public safety in Washington. The holistic and multipiece approach of this piece of legislation is appreciated, as it allows local entities to do a variety of things with the funding, such as recruit, retain, and train new deputies, but also continue to build out the state's criminal justice system by focusing on parts related to diversion and other rehabilitation services that will help bring Washington community policing and criminal justice into the twenty-first century.

A variety of stakeholders have engaged with the Office of the Governor and the bill sponsors to help shape this proposal into something that is an effective, efficient, and low-barrier way to hire more officers and help Washington communities to be safe and feel safe. Some additional feedback has already been shared regarding the Criminal Justice Training Commission's portion of the bill, but stakeholders will continue to engage in the conversation surrounding this bill. Overall, the options that are provided to locals are greatly appreciated. The state's investment in partnership and helping to fund public safety in such a challenging budget environment is really important.

(Opposed) This bill is just another on the long list of new taxes and fees implemented by the Legislature just this session. Every session for the last 12 sessions, legislators have raised taxes. In that time, there have been 41 different tax increases, totaling $62 billion. With each tax and fee implemented, Washington residents have less disposable income to spend. Currently, Washington is the fourth least affordable state in this nation and is likely heading towards third place quickly. This Legislature only wants testimony on this bill, as if it is only this small tax. However, residents of the state must pay all of them, and it adds up to a really big number. Washington residents cannot afford to buy or keep a home, as the Legislature has an insatiable appetite for more money every year and people's incomes are not keeping up. The Legislature keeps saying that it doesn't like regressive taxes that hurt the poor more, but that's exactly what is being done with this bill. Do not just think about this bill, think about how they all add up. There are only 14 individuals in support of this bill, while there are 865 against.

(Other) King County is looking at a $150 million budget shortfall, and the King County Court budget is looking at a potential 11 percent cut consequently. This cut would be greater than what was asked of the courts during the great recession. Resources would need to be refocused, and they would be focused on the courts' criminal system. This would mean that many staff within the civil court system would get cut, causing devastating delays.

Judges appreciate the Legislature looking at this bill to help the courts. The Legislature has passed some important new laws in the last few years for protection orders, for guardianship, for eviction cases, and for unlawful detainer cases. Pressure is being felt across the state in how to fund staff and the courts to accomplish these objectives, and this bill will help courts in pursing these objectives.

Persons Testifying (Finance): Representative Debra Entenman, prime sponsor; Candice Bock, Association of Washington Cities; James McMahan, WA Assoc Sheriffs and Police Chiefs; Mayor Jim Ferrell, City of Federal Way; Nathan Olson, Office of the Governor; Mac Nicholson, King County; Jeff DeVere, WACOPS - Washington Council of Police and Sheriffs; and Brad Banks, WSAC.

Persons Testifying (Appropriations): (In support) James McMahan, WA Assoc Sheriffs and Police Chiefs; Candice Bock, Association of Washington Cities; Mark Johnson, Washington Retail Association; Mac Nicholson, King County; Brad Banks, Washington State Association of Counties; and Nathan Olson, Office of the Governor.

(Opposed) Jeff Pack, Washington Citizens Against Unfair Taxes; and Tim Eyman, Initiative Activist.

(Other) Judge Ketu Shah, King County Superior Court; and Judge Sean O'Donnell, Superior Court Judges' Association.

Persons Signed In To Testify But Not Testifying (Finance): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.