
HOUSE BILL 2387

State of Washington

69th Legislature

2026 Regular Session

By Representatives Burnett, Leavitt, Griffey, Graham, Schmidt, Ybarra, Rule, Ryu, Ley, Klicker, Gregerson, Barkis, Dent, and Manjarrez

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1 AN ACT Relating to clarifying that elected sheriffs who are not
2 certified peace officers pursuant to chapter 43.101 RCW cannot
3 personally perform law enforcement actions other than those directed
4 or authorized by the Constitution or laws of the state of Washington,
5 specifying that discretionary decertification of an elected sheriff
6 for conduct that occurred after their term of office began initiates
7 a recall of that sheriff, and specifying that mandatory
8 decertification of an elected sheriff for conduct that occurred after
9 their term of office began initiates a recall of that sheriff without
10 the need to circulate, collect, or canvass supporting signatures;
11 amending RCW 29A.56.180; adding a new section to chapter 36.28 RCW;
12 and creating a new section.

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

14 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.28
15 RCW to read as follows:

16 (1) An elected sheriff who is not a certified peace officer
17 pursuant to chapter 43.101 RCW shall have all authority of the office
18 of sheriff but shall not personally perform any law enforcement
19 action that is reserved exclusively for certified peace officers.
20 However, an elected sheriff who is not a certified peace officer
21 pursuant to chapter 43.101 RCW shall maintain authority to take all

1 actions as directed or authorized by any provision of the
2 Constitution or laws of the state of Washington.

3 (2) Whenever the certification of an elected sheriff is revoked
4 pursuant to RCW 43.101.105(3) for conduct that occurred after their
5 term of office began, the final order revoking peace officer
6 certification shall constitute an initiation of recall proceedings
7 pursuant to RCW 29A.56.110, and the criminal justice training
8 commission shall be deemed as the person or entity making the charge
9 for recall.

10 (3) Whenever the certification of an elected sheriff is revoked
11 pursuant to RCW 43.101.105(2) for conduct that occurred after their
12 term of office began, the final order revoking peace officer
13 certification shall constitute an initiation of recall proceedings
14 pursuant to RCW 29A.56.110, and the criminal justice training
15 commission shall be deemed as the person or entity making the charge
16 for recall. If the superior court finds the charges sufficient for
17 recall, and after correcting any ballot synopsis the court deems
18 inadequate, no circulation, collection, or canvassing of signatures
19 is required and the officer with whom the petition is filed shall fix
20 a date for the special election to determine whether or not the
21 sheriff charged shall be recalled and discharged from office as
22 specified in RCW 29A.56.210.

23 **Sec. 2.** RCW 29A.56.180 and 2003 c 111 s 1414 are each amended to
24 read as follows:

25 When the person, committee, or organization demanding the recall
26 of a public officer has secured sufficient signatures upon the recall
27 petition the person, committee, or organization may submit the same
28 to the officer with whom the charge was filed for filing in his or
29 her office. The number of signatures required shall be as follows:

30 (1) In the case of a state officer, an officer of a city of the
31 first class, a member of a school board in a city of the first class,
32 or a county officer of a county with a population of (~~forty~~
33 ~~thousand~~) 40,000 or more—signatures of legal voters equal to
34 (~~twenty-five~~) 25 percent of the total number of votes cast for all
35 candidates for the office to which the officer whose recall is
36 demanded was elected at the preceding election.

37 (2) In the case of an officer of any political subdivision, city,
38 town, township, precinct, or school district other than those
39 mentioned in subsection (1) of this section, and in the case of a

1 state senator or representative—signatures of legal voters equal to
2 (~~thirty-five~~) 35 percent of the total number of votes cast for all
3 candidates for the office to which the officer whose recall is
4 demanded was elected at the preceding election.

5 (3) In the case of an elected sheriff whose certification is
6 revoked pursuant to RCW 43.101.105(2) for conduct that occurred after
7 their term of office began, no signatures are required.

8 NEW SECTION. **Sec. 3.** This act shall be known and cited as the
9 sheriffs accountability to the voters act.

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