
HOUSE BILL 1530

State of Washington

68th Legislature

2023 Regular Session

By Representatives Cortes and Mena

1 AN ACT Relating to expanding eligibility for employment to lawful
2 permanent residents for positions with general authority Washington
3 law enforcement agencies, limited authority Washington law
4 enforcement agencies, and prosecuting attorney offices; amending RCW
5 36.27.040; and adding a new section to chapter 10.93 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.93
8 RCW to read as follows:

9 A general authority Washington law enforcement agency or limited
10 authority Washington law enforcement agency may consider the
11 application of a citizen of the United States or a lawful permanent
12 resident for any office, place, position, or employment within the
13 agency.

14 **Sec. 2.** RCW 36.27.040 and 2009 c 549 s 4047 are each amended to
15 read as follows:

16 The prosecuting attorney may appoint one or more deputies who
17 shall have the same power in all respects as their principal. Each
18 appointment shall be in writing, signed by the prosecuting attorney,
19 and filed in the county auditor's office. Each deputy thus appointed
20 shall have the same qualifications required of the prosecuting

1 attorney, except that such deputy need not be a resident of the
2 county in which he or she serves nor a qualified elector therein.
3 Each deputy appointed must be a citizen of the United States or a
4 lawful permanent resident. The prosecuting attorney may appoint one
5 or more special deputy prosecuting attorneys upon a contract or fee
6 basis whose authority shall be limited to the purposes stated in the
7 writing signed by the prosecuting attorney and filed in the county
8 auditor's office. Such special deputy prosecuting attorney shall be
9 admitted to practice as an attorney before the courts of this state
10 but need not be a resident of the county in which he or she serves
11 and shall not be under the legal disabilities attendant upon
12 prosecuting attorneys or their deputies except to avoid any conflict
13 of interest with the purpose for which he or she has been engaged by
14 the prosecuting attorney. The prosecuting attorney shall be
15 responsible for the acts of his or her deputies and may revoke
16 appointments at will.

17 Two or more prosecuting attorneys may agree that one or more
18 deputies for any one of them may serve temporarily as deputy for any
19 other of them on terms respecting compensation which are acceptable
20 to said prosecuting attorneys. Any such deputy thus serving shall
21 have the same power in all respects as if he or she were serving
22 permanently.

23 The provisions of chapter 39.34 RCW shall not apply to such
24 agreements.

25 The provisions of RCW 41.56.030(~~((2))~~) (12) shall not be
26 interpreted to permit a prosecuting attorney to alter the at-will
27 relationship established between the prosecuting attorney and his or
28 her appointed deputies by this section for a period of time exceeding
29 his or her term of office. Neither shall the provisions of RCW
30 41.56.030(~~((2))~~) (12) require a prosecuting attorney to alter the at-
31 will relationship established by this section.

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