

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING OLYMPIA MUNICIPAL CODE SECTION 3.50.510 RELATING TO THE SALES AND USE TAX FOR CRIMINAL JUSTICE AS ADOPTED PURSUANT TO CITY OF OLYMPIA ORDINANCE NO. 7439

WHEREAS, the Legislature enacted House Bill (HB) 2015 in the 2025 legislative session to provide qualified cities, towns, or counties to authorize, by resolution or ordinance, a new local option sales and use tax on one-tenth of one percent (0.1%) for criminal justice purposes; and

WHEREAS, the Olympia City Council seeks to enhance criminal justice funding and pursuant to HB 2015, codified as RCW 82.14.345, passed Ordinance No. 7439 on November 18, 2025; and

WHEREAS, the Olympia City Council finds that the City, through the law enforcement agency Olympia Police Department, meets the requirements to receive a grant from the Local Law Enforcement Grant Program created in Section 101, Chapter 350, Laws of Washington 2025; and

WHEREAS, the City receives distributions from the sales and use tax authorized by RCW 82.14.340 for criminal justice purposes and receives distributions from the public safety sales and use tax authorized by RCW 82.14.450 for public safety; and

WHEREAS, city voters have not repealed by referendum the criminal justice sales tax imposed pursuant to RCW 82.14.340 or rejected a ballot proposition to impose the public safety sales tax authorized by 82.14.450 in the previous 12 months; and

WHEREAS, the Olympia City Council wishes to amend OMC 3.50.510 to add additional legislative findings of fact relating to CJTC requirements;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC 3.50.510. Olympia Municipal Section 3.50.510 is hereby amended to read as follows:

Section 1. Findings. The City Council (the "Council") of the City of Olympia, Washington (the "City"), makes the following findings and determinations:

- 1.1 RCW 82.14.345 authorizes a qualified city or county, by resolution or ordinance, to impose a sales and use tax in accordance with the terms of Chapter RCW 82.14 upon a finding that the city or county has met the requirements of RCW 82.14.345(1)(c) to receive a grant under RCW 43.101.540.
- 1.2 Pursuant to RCW 82.14.345(1)(d), the City of Olympia has submitted documentation in the form and manner prescribed by the criminal justice training commission, demonstrating that the City of Olympia has met the requirements of RCW 43.101.540 to receive a grant under said statute.
- 1.3 The tax authorized by RCW 82.14.345 is in addition to any other taxes authorized by law and must be collected from those persons who are taxable by the state pursuant to Chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the City of Olympia.

- 1.4 As provided by law, the rate of tax under RCW 82.14.345(2) must equal 0.1 percent of the selling price, in event of a sales tax, or value of the article used, in the case of a use tax.
- 1.5 Moneys received from the tax imposed under RCW 82.14.345 must be expended for criminal justice purposes.
- 1.6 A requirement of imposing the sales and use tax permitted by RCW 82.14.345 requires that the City of Olympia shall, within one calendar year of imposition of the tax and annually thereafter, make a report to the Association of Washington Cities on how the moneys received from the tax were expended.
- 1.7 By December 1, 2025, and annually thereafter, the Association of Washington Cities shall compile all information received pursuant to RCW 82.14.345(4)(a) and submit a report to the appropriate committees of the legislature detailing the purposes for which the City of Olympia expended the moneys received from the tax permitted by RCW 82.14.345.
- 1.8 Pursuant to RCW 82.14.345(5), "criminal justice purposes" means activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil justice system and behavioral health systems occurs, which includes (i) domestic violence services, such as those provided by domestic violence programs, community advocates, and legal advocates, as those terms are defined in RCW 70.123.020; (ii) staffing adequate public defenders to provide appropriate defense for individuals; (iii) diversion programs; (iv) reentry work for inmates; (v) local government programs that have a reasonable relationship to reducing the numbers of people interacting with the criminal justice system, including, but not limited to, reducing homelessness or improving behavioral health; (vi) community placements for juvenile offenders; and (vii) community outreach and assistance programs, alternative response programs, mental health crisis response including, but not limited to, the recovery navigator program.
- 1.9 The Council further finds that the City of Olympia is a "Qualified city or county" under RCW 82.14.345(5)(b) as a city where the voters have not repealed by referendum a tax imposed pursuant to RCW 82.14.340 or rejected a ballot proposition to impose a tax pursuant to RCW 82.14.450 in the previous 12 months.
- 1.10 It is projected that imposition of a sales and use tax of one-tenth of one percent (0.1%), as permitted by RCW 82.14.345 would generate approximately \$3,100,000 per year to fund statutorily authorized criminal justice purposes in the City of Olympia.
- 1.11 The Olympia City Council finds that the City of Olympia, through its law enforcement agency, Olympia Police Department, meets the requirements to receive a grant from the Local Law Enforcement Grant Program created in Section 101, Chapter 350, Laws of Washington 2025, having:
 - a. Issued and implemented policies consistent with RCW 43.17.425 and 10.93.160, and the Office of the Attorney General's Keep Washington Working Act guide, model policies, and training recommendations for state and local law enforcement agencies;
 - b. Participated in commission trainings as required by RCW 43.101.455 and 36.28A.445;

- c. Issued and implemented policies and practices regarding use of force and de-escalation tactics consistent with RCW 10.120.030 and the Office of the Attorney General's model policies, and all other commission and attorney general model policies regarding use of force for law enforcement, including but not limited to, duty to intervene and training and use of canine teams;
 - d. Implemented use of force data collection and reporting consistent with RCW Chapters 10.118 and 10.120 when the program is operational, as confirmed by a notice from the Attorney General's Office to all police chiefs and sheriffs;
 - e. Issued and implemented policies and practices consistent with RCW Chapter 7.105 and 9.41 and the commission model policies and training addressing firearm relinquishment pursuant to court orders;
 - f. A 25 percent officer completion rate with the commission's 40-hour crisis intervention team training;
 - g. A 100 percent officer compliance rate for those officers required to complete trauma-informed, gender-based violence interviewing, investigation, response, and case review training developed or approved by the commission pursuant to RCW 43.101.272 and 43.101.276, and if requested by the commission, participated in agency case reviews;
 - h. Received funding from a sales and use tax authorized pursuant to RCW 82.14.340 or 82.14.450;
 - i. A chief of police who is certified by the Criminal Justice Training Commission, and who has not been convicted of a felony anywhere in the United States or under foreign law, or has been convicted of a gross misdemeanor involving moral turpitude, dishonesty, fraud, or corruption; and
 - j. Issued and implemented policies and practices that prohibit volunteers who assist with agency work from enforcing criminal laws, other than for assistance with special event traffic and parking, including engaging in pursuits, detention, arrests, the use of force, or the use of deadly force; carrying or the use of firearms or other weapons; or the use of dogs to track people or animals other than for purposes of search and rescue; and that set forth the required supervision of volunteers, including that they must be clearly identifiable by the public as distinguishable from peace officers and any identifying insignia must be officially issued by the agency and only used when on duty.
- 1.12 The City of Olympia has provided the Criminal Justice Training Commission with a detailed staffing plan specifying the following:
- a. The total number of commissioned officers currently employed by the agency;
 - b. The total number of specially commissioned officers currently employed by the agency;
 - c. The total number of co-response teams established within the agency and what staffing are included in each co-response team;
 - d. The total number of administrative staff currently employed by the agency;
 - e. The number of officers on flexible work schedules;

- f. The average 911 response rate of the agency over the 12-month period immediately preceding the month in which the city is submitting documentation to the Criminal Justice Training Commission;
- g. The average case closure rate of the city over the 12-month period immediately preceding the month in which the city is submitting documentation to the Criminal Justice Training Commission.

1.13 The Olympia City Council directs that the documentation be submitted to the Criminal Justice Training Commission demonstrating that the City of Olympia meets the requirements of Section 101, Chapter 350, Laws of Washington 2025.

Section 2. Notice to Department of Revenue. The City Clerk is directed to cause a certified copy of this Ordinance to be delivered to the Department of Revenue, and any other public officers or agencies required by law. The City's Finance Director and other appropriate officers are authorized and directed to enter into such contracts with and provide such notices to the State Department of Revenue, and other appropriate state or local agencies, and to take all steps necessary for grants and/or to implement and collect the tax imposed by this Ordinance and Ordinance No. 7439, as amended.

Section 3. Ratification. All actions taken in furtherance of and not inconsistent with this Ordinance are ratified and confirmed in all respects.

Section 4. Severability. If any provision of this Ordinance is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be severable from the remaining provisions of this Ordinance and shall in no way effect the validity of the other provisions of this Ordinance.

Section 5. Effective Date. This Ordinance shall be effective thirty (30) days after passage and publication as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber
CITY ATTORNEY