
State Government & Tribal Affairs
Committee

HB 1835

Brief Description: Concerning the use of respectful language in state statutes.

Sponsors: Representatives Angel, Rolfes, Hinkle, Anderson, Haler, Short, Parker, Johnson, Bailey, Pedersen and Warnick.

Brief Summary of Bill

- Directs the Code Reviser to replace the term "mental retardation" with "intellectual disability" in statutes, memorials and resolutions.

Hearing Date: 2/19/09

Staff: Tracey O'Brien (786-7196)

Background:

The Revised Code of Washington and the Washington Administrative Code both contain extensive references to various individuals with disabilities. With the exception of language used as a specific term of art for purposes of the criminal code and criminal sentencing, these references are generally not essential to describing the circumstances of the particular individual.

Recent legislation has adopted terms that emphasize the individuality of people, no matter what their physical characteristics. Older legislative language utilized terms appropriate to the moment, some of which are neither appropriate nor specifically necessary for the law.

In 2004 the Legislature passed House Bill 2663 which required the Code Reviser to avoid references to certain words frequently used to describe individuals with disabilities. The specific terms are disabled, developmentally disabled, mentally disabled, mentally ill, mentally retarded, handicapped, cripple, and crippled.

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

These terms are to be avoided in future laws as well as to be replaced in existing statutes as those statutes are amended by law. The replacement terms are "individuals with disabilities," "individuals with developmental disabilities," "individuals with mental disabilities," "individuals with mental illness," and "individuals with mental retardation."

Agency orders must also reflect the changes in language. Agencies must use respectful language in creating new rules or amending old rules.

Summary of Bill:

The preferred term to be used in statutes, memorials, and resolutions is changed from "individuals with mental retardation" to "individuals with intellectual disabilities." The Code Reviser must replace the term "mental retardation" with the term "intellectual disability."

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.