

# FINAL BILL REPORT

## 2SSB 5287

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### PARTIAL VETO C 456 L 19 Synopsis as Enacted

**Brief Description:** Ensuring accurate redistricting.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Darneille and Hunt).

**Senate Committee on State Government, Tribal Relations & Elections**  
**Senate Committee on Ways & Means**  
**House Committee on State Government & Tribal Relations**

**Background:** Redistricting Commission and Plan. The state Redistricting Commission (Commission), established by constitutional amendment, provides for redistricting state legislative and congressional districts every ten years based on the federal decennial census. The Commission is composed of five members. The legislative leaders of each of the two largest political caucuses in each house of the Legislature appoint one person to the Commission, and the fifth person, the chair, is appointed by the four legislative appointees. The affirmative vote of three members is required to approve the redistricting plan.

Each congressional and legislative district must have a population, excluding nonresident military personnel, equal as practicable to the population of each other district. The Commission's plan may not be drawn purposely to favor or discriminate against any political party or group. To the extent reasonable, each district must:

- contain contiguous territory;
- be compact and convenient; and
- be separated from adjoining districts by natural geographic barriers, artificial barriers, or political boundaries.

Counting Persons in State Custody. Washington State law does not specify whether persons incarcerated in Department of Corrections (DOC) facilities or residing in facilities under the supervision of the Department of Social and Health Services (DSHS) or Department of Children Youth and Families (DCYF) are to be considered residents of those locations or their previous addresses when calculating population for redistricting. Four states, California, Delaware, Maryland, and New York, require incarcerated persons be considered residents of their last known addresses for redistricting purposes.

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*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.*

**Summary:** Department of Corrections, Department of Social and Health Services, and Department of Children, Youth and Families Responsibilities. Between April 1st and July 1st of each year ending in zero, the last known place of residence, with sufficient specificity to determine the congressional and legislative districts of that residence, must be provided to the Commission by:

- DOC, for all inmates in state adult correctional facilities;
- DSHS, for all persons committed to involuntary behavioral health treatment; and
- DCYF, for all persons residing or placed in juvenile justice facilities.

DOC, DSHS and DCYF must provide residence information for persons transferred to out-of-state facilities, if that information can be determined.

Commission Responsibilities. The Commission must deem each person as residing at the person's last known place of residence, rather than at the correctional, juvenile justice, or involuntary commitment facility. The Commission must use the location of the facility where a person is incarcerated, committed, or resides if the person's last known address is out of state or cannot be determined.

The Commission may not publish information regarding a specific person's last known place of residence. Persons whose last known place of residence cannot be determined or is out of state are not to be deemed residents of an unknown location in the state and not assigned to any precinct. Race and ethnicity data for precincts, wards, and districts containing correctional, juvenile justice, or involuntary commitment facilities must be adjusted to reflect the use of last known places of residence of persons in state custody. The Commission must draw district lines based on adjustments to census data based on prior residence data for persons in state custody.

**Votes on Final Passage:**

Senate	27	21	
House	57	39	(House amended)
Senate	27	19	(Senate concurred)

**Effective:** July 28, 2019

**Partial Veto Summary:**

- Removed the emergency clause.