

CERTIFICATION OF ENROLLMENT  
**SECOND SUBSTITUTE SENATE BILL 5287**

66th Legislature  
2019 Regular Session

Passed by the Senate April 23, 2019  
Yeas 27 Nays 19

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**President of the Senate**

Passed by the House April 16, 2019  
Yeas 57 Nays 39

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5287** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SECOND SUBSTITUTE SENATE BILL 5287**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

**State of Washington                      66th Legislature                      2019 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Darneille and Hunt)

READ FIRST TIME 03/01/19.

1            AN ACT Relating to ensuring accurate redistricting by counting  
2 individuals in state custody as residents of their last known place  
3 of residence; amending RCW 44.05.090; adding a new section to chapter  
4 44.05 RCW; providing an effective date; and declaring an emergency.

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

6            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 44.05  
7 RCW to read as follows:

8            (1) After April 1st of each year ending in zero, and by July 1st  
9 of each year ending in zero, the department of corrections shall  
10 furnish to the redistricting commission the following information  
11 regarding the last known place of residence of each inmate  
12 incarcerated in a state adult correctional facility:

13            (a) A unique identifier, other than the inmate's department of  
14 corrections number; and

15            (b) Last known place of residence information sufficiently  
16 specific to determine the congressional and state legislative  
17 districts in which the inmate's last known place of residence is  
18 located.

19            (2) After April 1st of each year ending in zero, and by July 1st  
20 of each year ending in zero, the department of social and health  
21 services shall furnish to the redistricting commission the following

1 information regarding the last known place of residence of each  
2 person committed to receive involuntary behavioral health treatment  
3 under chapter 71.05 RCW:

4 (a) A unique identifier, other than the person's patient  
5 identification number; and

6 (b) Last known place of residence information sufficiently  
7 specific to determine the congressional and state legislative  
8 districts in which the resident's last known place of residence is  
9 located.

10 (3) After April 1st of each year ending in zero, and by July 1st  
11 of each year ending in zero, the department of children, youth, and  
12 families shall furnish to the redistricting commission the following  
13 information regarding the last known place of residence of each  
14 person residing or placed in a juvenile justice facility:

15 (a) A unique identifier, other than the person's patient  
16 identification number; and

17 (b) Last known place of residence information sufficiently  
18 specific to determine the congressional and state legislative  
19 districts in which the resident's last known place of residence is  
20 located.

21 (4) The redistricting commission shall:

22 (a) Deem each inmate incarcerated in a state adult correctional  
23 facility and person residing or placed in a juvenile justice facility  
24 or committed to receive involuntary behavioral health treatment under  
25 chapter 71.05 RCW as residing at his or her last known place of  
26 residence, rather than at the institution of his or her  
27 incarceration, residence, or placement;

28 (b) Regardless of the form in which the information is furnished,  
29 refrain from publishing any information regarding a specific inmate's  
30 or resident's last known place of residence;

31 (c) Deem an inmate or resident in state custody in Washington  
32 whose last known place of residence is outside of Washington or whose  
33 last known place of residence cannot be determined to reside at the  
34 location of the facility in which the inmate or resident is  
35 incarcerated, placed, or committed; and

36 (d) Adjust race and ethnicity data in districts, wards, and  
37 precincts in a manner that reflects the inclusion of inmates and  
38 residents in the population count of the district, ward, or precinct  
39 of their last known place of residence.

40 (5) For purposes of this section:

1 (a) "Inmate incarcerated in a state adult correctional facility"  
2 includes an inmate who has been transferred to a facility outside of  
3 Washington to complete his or her term of incarceration.

4 (b) "Last known place of residence" means the address at which  
5 the inmate or resident was last domiciled prior to his or her  
6 placement or current term of incarceration, as reported by the inmate  
7 or resident.

8 (c) "Person residing or placed in a juvenile justice facility"  
9 and "person committed to receive involuntary behavioral health  
10 treatment under chapter 71.05 RCW" include a person who has been  
11 transferred to a facility outside of Washington.

12 (d) "Resident" means persons residing or placed in a juvenile  
13 justice facility or committed to receive involuntary behavioral  
14 health treatment under chapter 71.05 RCW.

15 **Sec. 2.** RCW 44.05.090 and 1990 c 126 s 1 are each amended to  
16 read as follows:

17 In the redistricting plan:

18 (1) Districts shall have a population as nearly equal as is  
19 practicable, excluding nonresident military personnel, based on the  
20 population reported in the federal decennial census as adjusted by  
21 section 1 of this act.

22 (2) To the extent consistent with subsection (1) of this section  
23 the commission plan should, insofar as practical, accomplish the  
24 following:

25 (a) District lines should be drawn so as to coincide with the  
26 boundaries of local political subdivisions and areas recognized as  
27 communities of interest. The number of counties and municipalities  
28 divided among more than one district should be as small as possible;

29 (b) Districts should be composed of convenient, contiguous, and  
30 compact territory. Land areas may be deemed contiguous if they share  
31 a common land border or are connected by a ferry, highway, bridge, or  
32 tunnel. Areas separated by geographical boundaries or artificial  
33 barriers that prevent transportation within a district should not be  
34 deemed contiguous; and

35 (c) Whenever practicable, a precinct shall be wholly within a  
36 single legislative district.

37 (3) The commission's plan and any plan adopted by the supreme  
38 court under RCW 44.05.100(4) shall provide for forty-nine legislative  
39 districts.

1 (4) The house of representatives shall consist of ninety-eight  
2 members, two of whom shall be elected from and run at large within  
3 each legislative district. The senate shall consist of forty-nine  
4 members, one of whom shall be elected from each legislative district.

5 (5) The commission shall exercise its powers to provide fair and  
6 effective representation and to encourage electoral competition. The  
7 commission's plan shall not be drawn purposely to favor or  
8 discriminate against any political party or group.

9 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of  
11 the state government and its existing public institutions, and takes  
12 effect July 1, 2019.

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