
SECOND SUBSTITUTE SENATE BILL 5287

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; adding a new section to chapter 44.05 RCW; providing an
4 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 eighteen years of age or older committed to receive
3 involuntary behavioral health treatment 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 eighteen years of age or older residing or placed in a
15 juvenile justice facility:

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

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

22 (4) The department of corrections shall not furnish information
23 for inmates whose last known place of residence is outside of
24 Washington or whose last known place of residence cannot be
25 determined.

26 (5) The department of social and health services shall not
27 furnish information for persons committed to receive involuntary
28 behavioral health treatment under chapter 71.05 RCW whose last known
29 place of residence is outside of Washington or whose last known place
30 of residence cannot be determined.

31 (6) The department of children, youth, and families shall not
32 furnish information for persons residing or placed in a juvenile
33 justice facility whose last known place of residence is outside of
34 Washington or whose last known place of residence cannot be
35 determined.

36 (7) The redistricting commission shall:

37 (a) Deem each inmate incarcerated in a state adult correctional
38 facility and person eighteen years of age or older residing or placed
39 in a juvenile justice facility or committed to receive involuntary
40 behavioral health treatment under chapter 71.05 RCW as residing at

1 his or her last known place of residence, rather than at the
2 institution of his or her incarceration, residence, or placement;

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

6 (c) Deem an inmate or resident in state custody in Washington
7 whose last known place of residence is outside of Washington or whose
8 last known place of residence cannot be determined to reside at an
9 unknown geographical location in the state and exclude the inmate or
10 resident from the population count for any district, ward, or
11 precinct; and

12 (d) Adjust race and ethnicity data in districts, wards, and
13 precincts that contain prisons, juvenile justice facilities, or
14 involuntary commitment facilities in a manner that reflects
15 reductions in the local population as inmates and residents are
16 included in the population count of the district, ward, or precinct
17 of their last known place of residence.

18 (8) For purposes of this section:

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

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

25 (c) "Person eighteen years of age or older residing or placed in
26 a juvenile justice facility" and "person eighteen years of age or
27 older committed to receive involuntary behavioral health treatment
28 under chapter 71.05 RCW" include a person who has been transferred to
29 a facility outside of Washington.

30 (d) "Resident" includes persons residing or placed in a juvenile
31 justice facility or committed to receive involuntary behavioral
32 health treatment under chapter 71.05 RCW.

33 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of
35 the state government and its existing public institutions, and takes
36 effect July 1, 2019.

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