S-4614.2

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**SUBSTITUTE SENATE BILL 6125**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Kauffman, Frame, Wellman, Trudeau, J. Wilson, Conway, Kuderer, Lovick, Nguyen, Nobles, Saldaña, Valdez, Wagoner, and C. Wilson)

AN ACT Relating to preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state; creating new sections; and providing an expiration date.

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

NEW SECTION. **Sec.**  The legislature recognizes that in 2023, numerous records and artifacts were discovered at Lakeland Village, a state-operated facility originally established in 1916 to serve individuals with intellectual or developmental disabilities. The collection of items discovered includes an unknown number of medical records, letters, images, films, and historical artifacts, including letters from family members, artifacts that capture important events, such as props from theater plays, and images of daily life. The legislature finds that preserving historical records and artifacts is crucial to understanding our past treatment of individuals with intellectual and developmental disabilities and to shaping our future. Some of the records and artifacts highlight a darker story of medical sterilization and medical restraint.

Therefore, the legislature finds and declares that the Washington state archives and the department of social and health services shall work with the University of Washington institute on human development and disability, to the extent allowable under federal and state privacy law, to create a preservation plan that details how the records and artifacts will be catalogued and preserved for the purpose of sharing this important history with all Washingtonians and that moving forward the state intends to work directly with those with lived experience to shape future policies and enhance service delivery with the goal of better outcomes for those individuals with intellectual and developmental disabilities.

NEW SECTION. **Sec.**  (1) The division of archives and records management, working with the University of Washington institute on human development and disability, the department of social and health services, and the department of archaeology and historic preservation, shall create a preservation plan to organize, catalogue, and store the historical documents and artifacts identified at Lakeland Village, a state-operated facility. Historical documents and artifacts may include but are not limited to medical records, letters, images, films, and artifacts of past residents with intellectual or developmental disabilities at Lakeland Village.

(2) The preservation plan shall:

(a) Identify all the records and artifacts that are available and at risk of destruction;

(b) Assess the condition of the records and artifacts and level of preservation required, including but not limited to the age of the record, the material used, and environmental conditions in which the items have been stored;

(c) Outline the steps that will be taken to preserve the records and artifacts. This includes how the records will be stored, where they will be stored, how they will be handled and transported, and how they will be restored if they are in danger of falling into disrepair, dysfunction, or destruction. The plan must also include how the records will be catalogued, digitized, and transferred to archival microfilm for long-term access; and

(d) Include a timeline for the preservation work and an overall budget for the work. The plan must be reported to the appropriate committees of the legislature by September 1, 2025.

(3) The plan described in this section must also include future plans for public access for historical and educational purposes.

(4) The division of archives and records management and the department of social and health services shall work together in storing and retaining the records described in this act, from Lakeland Village. No records shall be destroyed until the preservation plan is completed and the work is funded during fiscal year 2026.

(5) Indirect costs to the University of Washington for this project are limited to 15 percent.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. **Sec.**  This act expires June 30, 2026.

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