
Community Safety Committee

HB 2539

Brief Description: Concerning inmate funds.

Sponsors: Representatives Street, Simmons, Santos and Leavitt.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Increases the monetary threshold for defining inmate indigency to \$100.• Exempts money received by the Department of Corrections on behalf of an inmate for telephone services from certain deductions.

Hearing Date: 1/27/26

Staff: Corey Patton (786-7388).

Background:

An inmate committed to the custody of the Department of Corrections (DOC) is considered indigent when he or she has less than a \$25 balance of disposable income in his or her institutional account on the day a request is made to utilize funds and during the 30 days prior to the request. This monetary threshold for defining inmate indigency is sometimes referred to as the "indigency level" or "indigency cap."

Inmates are expected to contribute financially toward costs of incarceration and medical copays. When an inmate is unable to pay for certain supplies or services, the costs are recorded as a debt to the DOC and may be recouped from the inmate's institutional account when the account exceeds the indigency cap. The Secretary of the DOC is also directed to make certain deductions from an inmate's wages, gratuities, and worker's compensation benefits, for taxes, legal financial obligations, and child support obligations. However, the formula for distribution of funds cannot reduce an inmate's account below the indigency cap.

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

When an inmate receives funds in addition to his or her wages or gratuities, the additional funds are generally subject to the following statutorily authorized deductions:

- 5 percent for the Crime Victims' Compensation Account;
- 10 percent for the inmate's personal savings account;
- 20 percent for payment of legal financial obligations;
- 20 percent for child support payments;
- 20 percent for contributions to the cost of incarceration; and
- 20 percent for payment of certain civil judgments.

However, some types of funds are exempt from deductions under certain circumstances. For example, money received by the DOC on behalf of an inmate from family or other outside sources for the purchase of commissary items is exempt from deductions. Such money may only be used for the purchase of items on the facility commissary list and may not be transferred to any other fund, account, or purpose. Money that remains unused in the inmate's commissary fund at the time of release is subject to deductions.

Summary of Bill:

The monetary threshold for defining inmate indigency is increased to \$100. An inmate is considered indigent when he or she has less than a \$100 balance of disposable income in his or her institutional account on the day a request is made to utilize funds and during the 30 days prior to the request.

Money received by the Department of Corrections on behalf of an inmate from family or other outside sources for the payment of telephone services is exempt from deductions. Such money may only be used for the payment of telephone services and may not be transferred to any other account or purpose. Money that remains unused in the inmate's telephone services fund at the time of release is subject to deductions.

Appropriation: None.

Fiscal Note: Requested on January 21, 2026.

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