

HOUSE BILL REPORT

HB 2539

As Reported by House Committee On:
Community Safety

Title: An act relating to inmate funds.

Brief Description: Concerning inmate funds.

Sponsors: Representatives Street, Simmons, Santos and Leavitt.

Brief History:

Committee Activity:

Community Safety: 1/27/26, 2/2/26 [DPS].

Brief Summary of Substitute Bill

- Increases the monetary threshold for defining inmate indigency to \$100.

HOUSE COMMITTEE ON COMMUNITY SAFETY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Goodman, Chair; Simmons, Vice Chair; Davis, Farivar, Fosse and Obras.

Minority Report: Without recommendation. Signed by 3 members: Representatives Graham, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Burnett.

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

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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.

Summary of Substitute 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.

Substitute Bill Compared to Original Bill:

The substitute bill eliminates the provision of the original bill related to exempting money for telephone services from certain deductions.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill provides a way to address some of the systemic issues within the state's history of incarceration. Inmate wages and contributions from family members go into accounts that incarcerated persons can spend from for things like commissary purchases. Certain funds are subject to deductions when an incarcerated person's account exceeds the \$25 indigency threshold. However, the prices for basic goods have been continually increasing, especially since the pandemic. This has resulted in food, hygiene items, and other necessities becoming prohibitively expensive. It is vitally important that

the state not burden incarcerated persons with debt or other hurdles that will affect their reentry and rehabilitation. Increasing the indigency threshold to \$100 will help incarcerated persons afford basic goods and provide relief to their families. Incarceration should be about humanity, healing, and justice, rather than only punishment. This bill will also attract more participation in Correctional Industries (CI) programs, which facilitate opportunities for prosocial communication, provide a sense of responsibility, and offer a means of paying for daily needs. Under current law, up to 95 percent of the gratuities earned in CI programs may be subject to deductions, which has deterred people from wanting to work.

(Opposed) None.

Persons Testifying: Representative Chipalo Street, prime sponsor; Tonelli Anderson; Derond Potts; and Emijah Smith, Colorful Communities LLC.

Persons Signed In To Testify But Not Testifying: None.