

# HOUSE BILL REPORT

## HB 2632

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### As Passed Legislature

**Title:** An act relating to modernizing terminology when referring to individuals who are not citizens or nationals of the United States.

**Brief Description:** Modernizing terminology when referring to individuals who are not citizens or nationals of the United States.

**Sponsors:** Representatives Thai, Mena, Davis, Gregerson, Parshley, Hall, Nance, Fosse, Obras, Goodman, Cortes, Ormsby, Taylor, Scott, Zahn, Macri, Santos and Salahuddin.

#### **Brief History:**

##### **Committee Activity:**

State Government & Tribal Relations: 1/30/26, 2/3/26 [DP].

##### **Floor Activity:**

Passed House: 2/16/26, 58-39.

Passed Senate: 3/3/26, 31-18.

Passed Legislature.

#### **Brief Summary of Bill**

- Replaces certain references to the term "alien" with the term "noncitizen."
- Requires all state and local statutes and other official documents enacted after July 1, 2026, to use the term "noncitizen" or other context-appropriate term, instead of the term "alien," when referring to an individual who is not a citizen or national of the United States, unless use of the term "alien" is required to comply with federal law or funding requirements.
- Allows state agencies to use the expedited rulemaking process if the proposed rule only substitutes the term "alien" with the term "noncitizen" or other context-appropriate term but does not change the effect of the rule.

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*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.*

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## HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

**Majority Report:** Do pass. Signed by 4 members: Representatives Mena, Chair; Stearns, Vice Chair; Doglio and Farivar.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Waters, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Chase.

**Staff:** Connor Schiff (786-7093).

### **Background:**

#### Terms in Federal Law.

*Alien.* "Alien" is defined as any person who is not a citizen or national of the United States.

*Application and Permit for Temporary Importation of Firearms and Ammunition by Nonimmigrant Aliens.* Federal law requires that any nonimmigrant alien temporarily bringing firearms or ammunition into the United States for lawful hunting or sporting purposes must first obtain approval of an "ATF-6 NIA Application/Permit for Temporary Importation of Firearms and Ammunition by Nonimmigrant Aliens" from the Bureau of Alcohol, Tobacco, Firearms and Explosives.

*National.* A "national of the United States" is defined as:

- a citizen of the United States; or
- a person who, though not a citizen of the United States, owes permanent allegiance to the United States.

The Immigration and Nationality Act (INA) confers United States nationality, but not United States citizenship, on persons born in "an outlying possession of the United States" or born of a parent or parents who are noncitizen nationals who meet certain physical presence or residence requirements. The INA defines the term "outlying possessions of the United States" as American Samoa and Swains Island.

*Nonimmigrant Alien.* "Nonimmigrant alien" encompasses persons who have been granted the right to travel or temporarily reside in the United States. There are a number of nonimmigrant categories, with each category having its own specific purpose and conditions. Nonimmigrant classifications include:

- foreign government officials;
- visitors for business or pleasure;
- treaty traders and investors;
- students;
- representatives of foreign information media;
- religious workers; and
- temporary workers and trainees.

*Qualified Alien.* "Qualified alien" is defined as a person who, at the time the person applies for or receives a federal public benefit, is:

- lawfully admitted for permanent resident under the INA;
- granted asylum under the INA;
- a refugee admitted under the INA;
- paroled in the United States under the INA;
- having their deportation withheld under the INA;
- granted conditional entry under the INA;
- a Cuban or Haitian entrant, as defined in the Refugee Education Assistance Act of 1980; or
- lawfully residing in the United States with a Compact of Free Association.

*United States Issued Alien Number.* An "alien registration number" is a unique number assigned by the Department of Homeland Security to track and identify a person across the United States immigration system. The number appears on immigration forms and petitions, including green card and asylum applications, that a person may file.

Terms in State Law.

*Alien Bank.* "Alien bank" is defined as a bank organized under the laws of a foreign country and having its principal place of business in that country, the majority of the beneficial ownership and control of which is vested in citizens of countries other than the United States.

*Alien Carrier.* "Carrier" is defined as a health maintenance organization, insurer, health care service contractor, or other entity responsible for the payment of benefits or provision of services under a group or individual contract. "Foreign or alien carrier" is defined as:

- any carrier that is licensed to do business, but not domiciled, in Washington; or
- any person or entity subject to the Insurance Commissioner's general authority that is not domiciled in Washington.

*Alien Corporation.* State law has certain requirements for "foreign or alien corporations." "Foreign corporation" is defined as a corporation for profit incorporated under a law other than the law of Washington.

*Alien Fraternal Benefit Societies.* A fraternal benefit society is an incorporated society, order, or supreme lodge, that is conducted solely for the benefit of its members and their beneficiaries, is not for profit, and is operated on a lodge system with a ritualistic form of work. Every foreign or alien society authorized to do business in Washington must file with the Insurance Commissioner a certified copy of all amendments to its laws within 90 days after their enactment.

*Alien Insurer.* "Alien insurer" is defined as an insurer formed under the laws of a nation other than the United States.

*Alien Person.* For Washington's trademark registration laws, "person" is defined as any individual, firm, partnership, corporation, association, union, or other organization capable of suing and being sued in court.

*Alien Property Custodian.* For any court or administrative action that requires service of process for a person who is in a designated enemy country or enemy-occupied territory, in addition to serving the person required to be served with the process, a copy of the process must be sent by registered mail to the Office of Alien Property Custodian in Washington, District of Columbia. The Office of Alien Property Custodian was dissolved in 1966.

"Designated enemy country" is defined as any foreign country against which the United States has declared war. "Enemy-occupied territory" is any place under the control of any designated enemy country or any place with which, by reason of a declaration of war, the United States does not maintain postal communication.

*Alien Steamship Company.* If a summons must be served against a foreign or alien steamship company or steamship charterer, a copy of the summons must be delivered to any agent authorized by the company or charterer to solicit cargo or passengers for transportation to or from ports in Washington.

#### Preferred Terminology in Government Documents.

In 2002 legislation was enacted that requires all state and local government statutes and other official documents enacted after July 1, 2002, to use the term "Asian" when referring to persons of Asian descent. The legislation also urges all state and local entities to review their statutes, codes, rules, regulations, and other official documents and revise them to use "Asian" when referring to persons of Asian descent.

#### Expedited Rulemaking.

A state agency may file notice for the expedited adoption of rules if the proposed rule meets one of the following criteria:

- the proposed rule relates only to internal governmental operations that are not subject to violation by a person;
- the proposed rule adopts or incorporates by reference without material change state and federal statutes or regulations; rules of other state agencies; or industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- the proposed rule only corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect;
- the content of the proposed rule is explicitly and specifically dictated by statute;
- the proposed rule has been the subject of negotiated rulemaking, pilot rulemaking, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- the proposed rule is being amended after a certain review process.

The expedited rulemaking process must follow certain requirements. The agency must file its intent to use the expedited rulemaking process with the Office of the Code Reviser, and the notice is published in the Washington State Register (WSR). If anyone objects to the expedited process within 45 days after the WSR notice is published, the agency must proceed using the regular rulemaking process. If no written objections are received during the 45-day public notice period, the agency may enter an order adopting the rule without further notice or public hearing. The order must be published in accordance with nonexpedited rulemaking procedures.

### **Summary of Bill:**

"Noncitizen" is defined as an individual who is not a citizen or national of the United States. "Nonimmigrant citizen" is defined as a person that meets the definition of "nonimmigrant alien" under the Immigration and Nationality Act.

#### Using "Noncitizen" in State and Local Statutes and Official Documents.

Except where required by federal law or necessary to comply with federal requirements that are a prescribed condition to the allocation of federal funds to the state, all state and local government statutes, codes, rules, regulations, and other official documents enacted after July 1, 2026, must use the term "noncitizen" or other context-appropriate term, instead of the term "alien," when referring to an individual who is not a citizen or national of the United States. All state and local entities are urged to review their statutes, codes, rules, regulations, and other official documents and revise them to omit the use of the term "alien" when referring to an individual who is not a citizen or national of the United States.

#### *Expedited Rulemaking.*

A state agency may use the expedited rulemaking process if the proposed rule only substitutes the term "alien," when used to refer to an individual who is not a citizen or national of the United States, with the term "noncitizen" or other context-appropriate term and makes necessary grammatical changes and definitions resulting from the substitution, but does not change the effect of the rule. An agency may proceed with entering an order adopting the rule without further notice or public hearing even if the agency receives written objections to the rule.

#### Replacing "Alien" with "Noncitizen" in State Law.

Except where required by federal law or necessary to comply with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the term "alien" is replaced with the term "noncitizen." In certain instances, references to the term "alien" are replaced with "person who is not a citizen or national of the United States" to conform with the original meaning of the statute.

References to the term "alien" are not replaced with the term "noncitizen" where:

- use of the term is required by federal law or necessary to comply with federal

- requirements that are a prescribed condition to the allocation of federal funds to the state; or
- the term is used to describe a nonhuman entity.

*When Required to Comply with Federal Law or Funding Requirements.* The following references, where use of the term "alien" is required to comply with federal law or funding requirements, are not revised:

- "United States issued alien number";
- "ATF-6 NIA Application and Permit for Temporary Importation of Firearms and Ammunition by Nonimmigrant Aliens";
- "qualified alien," where required to be consistent with federal immigration law or funding requirements;
- "nonimmigrant alien" and "nonresident alien," where required to be consistent with federal labor law or funding requirements; and
- other references to "nonimmigrant alien," where required to be consistent with other federal law or funding requirements.

*When Used to Describe a Nonhuman Entity.*

The following references, where the term "alien" is used to describe a nonhuman entity, are not revised:

- "alien banks";
- "alien carriers";
- "alien corporation";
- "alien fraternal benefit societies";
- "Alien Property Custodian";
- "alien steamship company";
- "alien insurers," "alien insurance companies," and "alien companies"; and
- "alien persons," where the definition of "persons" includes individuals, firms, partnerships, corporations, associations, unions, and other organizations capable of suing and being sued in court.

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date:** The bill contains multiple effective dates. Please see the bill.

**Staff Summary of Public Testimony:**

(In support) This is a simple but important change that reflects common sense and common courtesy. It is long overdue to remove outdated, hateful, and demeaning terminology. Words matter as they reflect how people are treated. Use of this offensive term is being condoned if the term is not fixed. Being called the term "alien" is hurtful and gives people permission to treat others disrespectfully. The term is used to dehumanize people in order

to justify policies that discriminate against immigrants and refugees. The term "alien" is also inaccurate, ambiguous and unclear; it does not provide any information about a person's status or what they can apply for. It is more accurate and clear to describe a person's status. It is challenging to explain use of this term to children and for communities to move forward when this term is still being used in official documents. The proposal does not change how law operates or create new legal standards; it establishes a consistent structure and improves clarity across the code. The proposed change reflects the values of the people of Washington. This proposal does not create a fiscal impact or administrative burden.

(Opposed) This proposal is mandating politically preferred language in law. It represents certain ideological values, and law should not be rewritten every time ideological values change. This proposal prioritizes virtue signaling over substantive changes and creates an administrative burden. This change misaligns state law with federal statute and is an unfunded mandate to update official documents. The language about "context appropriate" changes is vague and ambiguous.

**Persons Testifying:** (In support) Representative My-Linh Thai, prime sponsor; Lydia Zepeda, League of Women Voters of Washington; Chach Duarte White, Legal Counsel for Youth and Children; Elizabeth Fitzgearld; Nicholas Mejía; Zaida Rivera; and Andres Muñoz.

(Opposed) Anthony Mixer, Citizen Volunteer Lobbyist; and Jeannie Magdua.

**Persons Signed In To Testify But Not Testifying:** None.