

SENATE BILL REPORT

SHB 2539

As Passed Senate - Amended, March 3, 2026

Title: An act relating to inmate funds.

Brief Description: Concerning inmate funds.

Sponsors: House Committee on Community Safety (originally sponsored by Representatives Street, Simmons, Santos and Leavitt).

Brief History: Passed House: 2/13/26, 57-36.

Committee Activity: Human Services: 2/18/26, 2/24/26 [DPA, DNP, w/oRec].

Floor Activity: Passed Senate - Amended: 3/3/26, 30-18.

Brief Summary of Bill (As Amended by Senate)

- Increases the monetary amount for the definition of indigent inmate, indigent, and indigency, to a person that has less than a \$100 balance of disposable income in the individual's institutional account.
- Provides an adjustment to the indigency definition every four years based on the most current seasonally adjusted index of the consumer price index for all urban consumers as published by the United States Department of Labor, beginning July 1, 2029.
- Requires the Department of Corrections to publish the indigent rate on their website and at each correctional facility every year, beginning July 1, 2027.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: Do pass as amended.

Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Orwall.

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.

Minority Report: Do not pass.

Signed by Senator Christian, Ranking Member.

Minority Report: That it be referred without recommendation.

Signed by Senator Warnick.

Staff: Will Trondsen (786-7552)

Background: Under state law, an individual in the custody of the Department of Corrections (DOC) is considered indigent when their institutional account has a total of \$25 or less of disposable income on the day a request is made to utilize funds and during the 30 days previous to the request. Individuals are required to contribute to legal financial obligations, savings, crime victims compensation, child support, costs of incarceration, and civil judgements.

The trust accounting system tracks an individual's savings account, and if the account is at \$25 or less, the account will be flagged as indigent. A person that is indigent may purchase items at the commissary, such as hygiene, over the counter medications, pre-franked envelopes, and trust accounting systems will create debt for the entire amount of the purchase, without withdrawing funds from the account that is below \$25.00. The same applies to other withdrawals such as legal copies, legal mail, health services copays, non-legal postage and television fees. Debt owed to DOC will be collected and calculated after deductions required by statute occur. Remaining balances of accounts will be used towards any debt owed to DOC upon release, and the excess being sent to the individual upon release.

Summary of Amended Bill: The monetary amount for the term indigent inmate, indigent, and indigency, is increased to mean a person with less than \$100 of disposable income in their institutional account. An inmate is considered indigent when they have less than a \$100 balance of disposable income in their institutional account on the day a request is made to utilize funds and during the 30 days prior to the request.

The indigency definition is set every four years based on the most current seasonally adjusted index of the consumer price index for all urban consumers as published by the United States Department of Labor, beginning July 1, 2029.

The DOC is required to publish the indigent rate on their website and at each correctional facility every year, beginning July 1, 2027.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill is not about trying to reduce other costs for an inmate, such as legal financial obligations, or child support, it is really about making sure the threshold for each person to be able to purchase essentials is \$100.00. The current standard of \$25.00 is truly insufficient for a person to be sustained inside of prison. Prisons become a much more dangerous place for the incarcerated population and staff when essentials are not available. A new limit of \$100.00 is still a relatively low amount of money but provides for the incarcerated individual to be able to pay off legal financial obligations, child support, and other important obligations. This bill helps address indigent needs and the large percentage of deductions taken from the person's account. As prices have risen outside of prison, so too have the prices of everyday items needed inside. Not everyone inside of a prison has the family support or resources to purchase those essential items. The ability to shop around for the best price is not an option when a person is in prison. There are many other activities outside of basic necessities that incarcerated individuals may use funds for that will be available with the cap increased to \$100.00.

Persons Testifying: PRO: Representative Chipalo Street, Prime Sponsor; Derond Potts; Tonelli Anderson; Emijah Smith, Colorful Communities LLC; Candice Baughman, Statewide Reentry Council; Kelly Olson, Civil Survival.

Persons Signed In To Testify But Not Testifying: No one.