SENATE BILL REPORT
SB 6080

As Reported by Senate Committee On:
Human Services, February 3, 2026

Title: An act relating to contracts between the United States and county and municipal jails for committing or confining individuals in federal custody.

Brief Description: Concerning contracts between the United States and county and municipal jails for committing or confining individuals in federal custody.

Sponsors: Senators Cleveland, Dhingra, Hasegawa, Nobles, Saldaña and Wilson, C..

Brief History:
Committee Activity: Human Services: 1/21/26, 2/03/26 [DPS, DNP].

Brief Summary of First Substitute Bill

- Provides discretion to a person in charge of a jail to receive or keep an individual that is confined or committed a person by authority of the United States, and requires the agreement to be in a contract.
- Permits a jail to hold a person in federal custody prior to entry of a contract at the jail's discretion provided a contract is created within 180 days of the jail's acceptance of that person, the jail may continue to accept any person in federal custody during this period.
- Establishes the contract must include a fee at a rate not less than the daily bed rate established by interlocal agreement.
- Clarifies that this act does not prevent a jail from accepting a person in federal custody for confinement or commitment if the jail in it's discretion, determines that there is a reasonable public safety interest to confine or commit the person.

SENATE COMMITTEE ON HUMAN SERVICES

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.

Majority Report: That Substitute Senate Bill No. 6080 be substituted therefor, and the substitute bill do pass.

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

Minority Report: Do not pass.

Signed by Senators Christian, Ranking Member; Warnick.

Staff: Will Trondsen (786-7552)

Background: County, City, and Town Jails. In Washington State, counties, cities, and towns may acquire, build, operate and maintain holding, detention, special detention, and correctional facilities at any place within the territorial limits of the county, city, or town. The following terms are defined:

- holding facility is a facility primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial, or sentencing, but does not exceed 30 days;
- detention facility is a facility primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial, or sentencing, but shall not exceed 90 days;
- special detention facility is a minimum security facility primarily designed, staffed, and used for the housing of special populations of sentenced persons who do not require the level of security normally provided in detention and correctional facilities including, but not necessarily limited to, persons convicted of driving under the influence and physical control of vehicle while under the influence; and
- correctional facility means a facility primarily designed, staffed, and used for the housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.

Contracts for Jail Services Between Counties and Cities. Counties and cities are free to contract jail services with other counties and cities. The contracts must be in writing, and lay out the responsibilities each governing unit involved.

Confinement Pursuant to Authority of the United States. When room is available and provision given by the United States for the support of a person confined and any additional personnel required, a person in charge of a jail must receive and keep all persons confined or committed under authority of the United States until discharged according to law.

Summary of Bill (First Substitute): Allows a person in charge of a jail to choose to receive and keep in the jail, when room is available, a person that is confined or committed by process or order issued under the authority of the United States pursuant to a contract.

A jail, in it's discretion, may confine or commit an individual in federal custody, prior to

creation of a contract. The jail must create a contract with the United States to confine or commit a person within 180 days of first accepting a person in federal custody. During the 180 day period of creating the contract, the jail may continue to accept individuals in federal custody.

Any contract created must establish a fee at a rate of at least the daily bed rate established by interlocal agreement.

Clarifies that a jail is not prevented from accepting a person in federal custody for confinement or commitment if the jail determines that there is a reasonable public safety interest in accepting such person.

EFFECT OF CHANGES MADE BY HUMAN SERVICES COMMITTEE (First Substitute):

- Removes language that requires the contract to include a fee of the total cost to the jail to confine or commit an individual that is in federal custody, and that if funds are not received the facility may no longer hold an individual in federal custody.
- Removes language about for counties or municipalities to contract with the United States to confine a person that has been transported across state lines, unless there is a valid judicial warrant.
- Allows a jail to hold an individual at it's discretion if they are presented to the jail, and the jail has 180-days following acceptance of the first person in federal custody to enter into a contract with the federal government. During this period the jail may continue to accept any person in federal custody for confinement or commitment.
- Requires the fee to be at a rate of at least the daily bed rate established by interlocal agreement.
- Allows a jail to accept a person in federal custody for confinement at it's sole discretion, if the jail determines that there is a reasonable public safety interest in accepting such person for confinement or commitment.

Appropriation: None.

Fiscal Note: Requested on January 13, 2026.

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 Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill addresses a situation that happened this summer where federal law enforcement brought detainees from Oregon across state lines. Washington State law needs some clarity that better defines when and under what circumstances federal law enforcement may detain individuals, and transport

them across state lines and require them to be held in county jails. A formal agreement should be made for the federal government to pay for the services provided by county and local jails because those fees are normally paid by the local tax payers. The bill prevents local governments from being placed in legally uncertain situations when they lack basic information. It also prevents taxpayers in Washington from absorbing high costs of federal detention without reimbursement. The legislation gives local law enforcement the clarity and legal certainty in fast moving situations. It provides good clarity for counties and our jails with regard to the coordination with the federal government and those that are in their custody.

OTHER: The flexibility in the bill to change it from shall to may and make it discretionary for a jail is a good thing. The bill ignores that there are several situations where a judicial warrant would not have been issued, and there needs to be some exceptions for those instances. It's not practical for all 46 jails to be able to have a contract in place.

Persons Testifying: PRO: Senator Annette Cleveland, Prime Sponsor; Jake García, Latino Community Fund of Washington State; Brad Banks, Washington State Association of Counties (WSAC); Dian Perez.

OTHER: James McMahan, WA Assoc Sheriffs & Police Chiefs.

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