
THIRD SUBSTITUTE HOUSE BILL 1710

State of Washington

69th Legislature

2026 Regular Session

By House Appropriations (originally sponsored by Representatives Mena, Salahuddin, Gregerson, Berg, Reeves, Cortes, Stonier, Timmons, Thomas, Reed, Hill, Berry, Simmons, Parshley, Farivar, Zahn, Fosse, Peterson, Goodman, Street, Doglio, Scott, Pollet, Nance, Ormsby, Ryu, Macri, Ramel, and Obras)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to compliance with the Washington voting rights
2 act of 2018; adding a new chapter to Title 29A RCW; and creating a
3 new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) "Covered jurisdiction" means a
6 jurisdiction which has been designated by the attorney general by
7 rule in accordance with section 4 of this act to be:

8 (a) A political subdivision which, within the previous 25 years,
9 has become subject to a court order, government enforcement action,
10 court-approved consent decree, or a settlement in which the political
11 subdivision conceded liability, based upon a violation of chapter
12 29A.92 RCW, the federal voting rights act, the 15th amendment to the
13 United States Constitution involving discrimination against members
14 of a protected class, or any voting-related violation of the 14th
15 amendment to the United States Constitution or of the Washington
16 Constitution involving discrimination against members of a protected
17 class; or

18 (b) Any political subdivision that, during the previous 25 years,
19 was found to have enacted or implemented a covered policy without
20 obtaining preclearance for such covered policy while designated as a
21 covered jurisdiction pursuant to this section.

1 (2) (a) "Covered practice" means:

2 (i) Any change to the method of election of members of a

3 governing body, including the removal of seats, the addition of seats

4 elected at large, or the conversion of one or more seats elected from

5 a single-member district to one or more at-large seats or seats from

6 a multimember district;

7 (ii) Any change, or series of changes within a 12-month period,

8 to the boundaries of the covered jurisdiction that reduces by more

9 than five percentage points the proportion of the jurisdiction's

10 citizen voting age population that is composed of members of any

11 protected class that is a basis for the political subdivision's

12 designation as a covered jurisdiction;

13 (iii) Any change to the boundaries of election districts or wards

14 in the covered jurisdiction;

15 (iv) Any change that restricts the ability of any person to

16 provide interpreter services to voters in any language other than

17 English or which limits or impairs the creation or distribution of

18 voting materials in any language other than English;

19 (v) Any change to the covered jurisdiction's plan of government,

20 including a change to or in the framing of a jurisdiction's charter;

21 (vi) The method of election or district plans if, following each

22 decennial census, a covered jurisdiction maintains an at-large method

23 of election or a covered jurisdiction that implements a district-

24 based election system makes no revisions to its districting plans; or

25 (vii) A change that may have the effect of denying, abridging, or

26 diluting the right to vote on account of race, color, or membership

27 in a language minority group, as determined by the office of the

28 attorney general by rule.

29 (b) "Covered practice" is not limited to actions taken

30 independently by the governing body of a political subdivision, but

31 also includes any changes as a result of ballot initiatives approved

32 by voters.

33 (3) "Government enforcement action" includes a denial of

34 administrative or judicial preclearance by the state or federal

35 government, a final judgment or adjudication, or a similar formal

36 action including but not limited to orders or final determinations

37 from administrative adjudications.

38 (4) "Political subdivision" has the same meaning as defined in

39 RCW 29A.92.010.

1 (5) "Protected class" has the same meaning as defined in RCW
2 29A.92.010.

3 NEW SECTION. **Sec. 2.** (1)(a) Prior to adopting or administering
4 a covered practice as defined in section 1 of this act, the governing
5 body of a covered jurisdiction shall submit such covered practice to
6 the attorney general for issuance of a certification of no objection
7 to the proposed covered practice.

8 (b) The attorney general shall issue a certification of no
9 objection, only if the proposed covered practice:

10 (i) Will not diminish the ability of the protected class or
11 classes that are the basis for the political subdivision's
12 designation as a covered jurisdiction to participate in the political
13 process or to elect their preferred candidates to office; and

14 (ii) Does not violate chapter 29A.92 RCW, the federal voting
15 rights act, 52 U.S.C. Sec. 10301 et seq., or other provisions of
16 state or federal law.

17 (2) No covered practice is effective until the attorney general
18 has issued a certification of no objection.

19 (3)(a) A certification of no objection may be deemed to have been
20 issued if:

21 (i) After submitting a covered policy for a certification with
22 the attorney general, the attorney general does not issue an
23 objection within 60 days of the governing body's submission of the
24 covered policy, except when the timeline is extended pursuant to (b)
25 of this subsection; or

26 (ii) The attorney general affirmatively indicates that no such
27 objection will be made, upon a showing of good cause to facilitate an
28 expedited approval within 60 days of the governing body's submission.

29 (b) The attorney general may, no more than twice, extend the
30 number of days to issue an objection under (a) of this subsection by
31 90 days for each extension.

32 (c) If the attorney general affirmatively indicates that no
33 objection will be made within the 60-day period following the receipt
34 of the governing body's submission, the attorney general may reserve
35 the right to reexamine the submission if the attorney general
36 discovers additional information during the remainder of the 60-day
37 period that would otherwise require an objection in accordance with
38 this section. Upon reexamination, the attorney general may extend the

1 number of days to issue an objection in accordance with (b) of this
2 subsection.

3 (d) An affirmative indication by the attorney general that no
4 objection will be made or the attorney general's failure to object
5 does not bar a subsequent action to enjoin enforcement of the covered
6 practice.

7 (4) The attorney general may institute an action in superior
8 court of the county in which the relevant political subdivision is
9 located or in the Thurston county superior court to enjoin a covered
10 jurisdiction from implementing a covered practice and to compel the
11 governing body of the covered jurisdiction to comply with the
12 requirements under subsection (1) of this section.

13 (5) If the attorney general objects to a covered practice
14 submitted by a covered jurisdiction, the covered jurisdiction may
15 appeal the objection in superior court of the county in which the
16 relevant political subdivision is located or in the Thurston county
17 superior court. No other parties may file an action to appeal an
18 objection by the attorney general to a covered practice nor intervene
19 in any such action brought by the covered jurisdiction. Due to the
20 frequency and urgency of elections, actions brought pursuant to this
21 section shall be subject to expedited proceedings.

22 (6) In any action under this section, the court has discretion to
23 stay the implementation of the covered practice until it issues its
24 final order or determination. An action under this subdivision does
25 not preclude, bar, or limit any other actions that may be brought
26 regarding the covered policy in any way, including actions brought
27 under other sections of chapter 29A.92 RCW.

28 NEW SECTION. **Sec. 3.** (1) An action may be filed by any
29 aggrieved party in any of the following circumstances:

30 (a) The attorney general has issued a certification of no
31 objection to a covered policy in violation of section 2 of this act;
32 or

33 (b) To compel the governing body of the covered jurisdiction to
34 seek issuance of a certification of no objection from the attorney
35 general prior to adopting or implementing the covered practice.

36 (2) An action to appeal the attorney general's certificate of no
37 objection must be filed in superior court of the county in which the
38 relevant political subdivision is located or in the Thurston county
39 superior court.

1 (3) In any claim under this section, the court has discretion to
2 stay the implementation of the covered practice until it issues its
3 final order or determination. A claim under this subdivision does not
4 preclude, bar, or limit any other claims that may be brought
5 regarding the covered policy in any way, including claims brought
6 under other sections of chapter 29A.92 RCW. Review of the attorney
7 general's determination under subsection (1)(a) of this section is de
8 novo.

9 (4) For purposes of this section, an "aggrieved person" may also
10 include any organization whose:

11 (a) Membership includes individuals aggrieved by a violation of
12 this section; or

13 (b) Mission would be frustrated by a violation of this section,
14 including but not limited to an entity who would expend or divert
15 resources to fulfill its mission as a result of such violation.

16 (5) An organization described under subsection (4) of this
17 section may not be compelled to disclose the identity of any specific
18 member to pursue a claim on behalf of its members.

19 NEW SECTION. **Sec. 4.** (1) No later than July 1st of each even-
20 numbered year, the attorney general shall by rule and in consultation
21 with the office of financial management and other relevant agencies,
22 designate those political subdivisions which qualify as covered
23 jurisdictions pursuant to section 1 of this act based on the best
24 available data from the United States census bureau, the most recent
25 American community survey, or other data of comparable quality
26 collected by a federal, state, or local agency. The attorney general
27 shall provide written notice to the covered jurisdiction of the
28 designation. A determination made pursuant to this subsection is
29 effective on the date that the written notice is sent.

30 (2) The office of the attorney general shall maintain a publicly
31 accessible website containing the following information:

32 (a) A list of all covered jurisdictions, to be updated
33 biannually;

34 (b) All submissions for a certificate of no objection certifying
35 that the covered practice meets the standard in section 2 of this
36 act, including any supporting documents submitted by the covered
37 entity; and

38 (c) The status and disposition of each submission under (b) of
39 this subsection.

1 NEW SECTION. **Sec. 5.** Once the attorney general issues a
2 certificate of no objection pursuant to section 2 of this act, or
3 once the attorney general's certificate of no objection of a covered
4 practice is upheld by a court in the case of an appeal under section
5 3(1)(a) of this act, whichever is later, an action against the
6 political subdivision based on the same covered practice may not be
7 brought within four years of the approval of that covered practice so
8 long as the political subdivision does not enact a change to or
9 deviation from the approved covered practice during the four-year
10 period that would otherwise give rise to an action under this chapter
11 or chapter 29A.92 RCW. This section does not preclude an appeal under
12 section 3(1)(a) of this act or an action by the attorney general
13 under section 2(3)(d) of this act.

14 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act
15 constitute a new chapter in Title 29A RCW.

16 NEW SECTION. **Sec. 7.** If specific funding for the purposes of
17 this act, referencing this act by bill or chapter number, is not
18 provided by June 30, 2026, in the omnibus appropriations act, this
19 act is null and void.

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