
SUBSTITUTE HOUSE BILL 2539

State of Washington

69th Legislature

2026 Regular Session

By House Community Safety (originally sponsored by Representatives Street, Simmons, Santos, and Leavitt)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to inmate funds; and amending RCW 72.09.015.

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

3 **Sec. 1.** RCW 72.09.015 and 2022 c 254 s 2 are each amended to
4 read as follows:

5 The definitions in this section apply throughout this chapter.

6 (1) "Adult basic education" means education or instruction
7 designed to achieve general competence of skills in reading, writing,
8 and oral communication, including English as a second language and
9 preparation and testing services for obtaining a high school diploma
10 or a high school equivalency certificate as provided in RCW
11 28B.50.536.

12 (2) "Base level of correctional services" means the minimum level
13 of field services the department of corrections is required by
14 statute to provide for the supervision and monitoring of offenders.

15 (3) "Civil judgment for assault" means a civil judgment for
16 monetary damages awarded to a correctional officer or department
17 employee entered by a court of competent jurisdiction against an
18 inmate that is based on, or arises from, injury to the correctional
19 officer or department employee caused by the inmate while the
20 correctional officer or department employee was acting in the course
21 and scope of his or her employment.

1 (4) "Community custody" has the same meaning as that provided in
2 RCW 9.94A.030 and also includes community placement and community
3 supervision as defined in RCW 9.94B.020.

4 (5) "Contraband" means any object or communication the secretary
5 determines shall not be allowed to be: (a) Brought into; (b)
6 possessed while on the grounds of; or (c) sent from any institution
7 under the control of the secretary.

8 (6) "Correctional facility" means a facility or institution
9 operated directly or by contract by the secretary for the purposes of
10 incarcerating adults in total or partial confinement, as defined in
11 RCW 9.94A.030.

12 (7) "County" means a county or combination of counties.

13 (8) "Department" means the department of corrections.

14 (9) "Earned early release" means earned release as authorized by
15 RCW 9.94A.729.

16 (10) "Evidence-based" means a program or practice that has had
17 multiple-site random controlled trials across heterogeneous
18 populations demonstrating that the program or practice is effective
19 in reducing recidivism for the population.

20 (11) "Extended family visit" means an authorized visit between an
21 inmate and a member of his or her immediate family that occurs in a
22 private visiting unit located at the correctional facility where the
23 inmate is confined.

24 (12) "Good conduct" means compliance with department rules and
25 policies.

26 (13) "Good performance" means successful completion of a program
27 required by the department, including an education, work, or other
28 program.

29 (14) "Immediate family" means the inmate's children,
30 stepchildren, grandchildren, great grandchildren, parents,
31 stepparents, grandparents, great grandparents, siblings, aunts,
32 uncles, and a person legally married to or in a state registered
33 domestic partnership with an inmate. "Immediate family" includes the
34 immediate family of an inmate who was adopted as a child or an adult,
35 but does not include an inmate adopted by another inmate.

36 (15) "Indigent inmate," "indigent," and "indigency" mean an
37 inmate who has less than a (~~(\$25)~~) \$100 balance of disposable income
38 in his or her institutional account on the day a request is made to
39 utilize funds and during the 30 days previous to the request.

1 (16) "Individual reentry plan" means the plan to prepare an
2 offender for release into the community. It should be developed
3 collaboratively between the department and the offender and based on
4 an assessment of the offender using a standardized and comprehensive
5 tool to identify the offender's risks and needs. The individual
6 reentry plan describes actions that should occur to prepare
7 individual offenders for release from prison or jail, specifies the
8 supervision and services they will experience in the community, and
9 describes an offender's eventual discharge to aftercare upon
10 successful completion of supervision. An individual reentry plan is
11 updated throughout the period of an offender's incarceration and
12 supervision to be relevant to the offender's current needs and risks.

13 (17) "Inmate" means a person committed to the custody of the
14 department, including but not limited to persons residing in a
15 correctional institution or facility and persons released from such
16 facility on furlough, work release, or community custody, and persons
17 received from another state, state agency, county, federally
18 recognized tribe, or federal jurisdiction.

19 (18) "Labor" means the period of time before a birth during which
20 contractions are of sufficient frequency, intensity, and duration to
21 bring about effacement and progressive dilation of the cervix.

22 (19) "Physical restraint" means the use of any bodily force or
23 physical intervention to control an offender or limit an offender's
24 freedom of movement in a way that does not involve a mechanical
25 restraint. Physical restraint does not include momentary periods of
26 minimal physical restriction by direct person-to-person contact,
27 without the aid of mechanical restraint, accomplished with limited
28 force and designed to:

29 (a) Prevent an offender from completing an act that would result
30 in potential bodily harm to self or others or damage property;

31 (b) Remove a disruptive offender who is unwilling to leave the
32 area voluntarily; or

33 (c) Guide an offender from one location to another.

34 (20) "Postpartum recovery" means (a) the entire period a woman or
35 youth is in the hospital, birthing center, or clinic after giving
36 birth and (b) an additional time period, if any, a treating physician
37 determines is necessary for healing after the woman or youth leaves
38 the hospital, birthing center, or clinic.

39 (21) "Privilege" means any goods or services, education or work
40 programs, or earned early release days, the receipt of which are

1 directly linked to an inmate's (a) good conduct; and (b) good
2 performance. Privileges do not include any goods or services the
3 department is required to provide under the state or federal
4 Constitution or under state or federal law.

5 (22) "Promising practice" means a practice that presents, based
6 on preliminary information, potential for becoming a research-based
7 or consensus-based practice.

8 (23) "Research-based" means a program or practice that has some
9 research demonstrating effectiveness, but that does not yet meet the
10 standard of evidence-based practices.

11 (24) "Restraints" means anything used to control the movement of
12 a person's body or limbs and includes:

13 (a) Physical restraint; or

14 (b) Mechanical device including but not limited to: Metal
15 handcuffs, plastic ties, ankle restraints, leather cuffs, other
16 hospital-type restraints, tasers, or batons.

17 (25) "Secretary" means the secretary of corrections or his or her
18 designee.

19 (26) "Significant expansion" includes any expansion into a new
20 product line or service to the class I business that results from an
21 increase in benefits provided by the department, including a decrease
22 in labor costs, rent, or utility rates (for water, sewer,
23 electricity, and disposal), an increase in work program space, tax
24 advantages, or other overhead costs.

25 (27) "Superintendent" means the superintendent of a correctional
26 facility under the jurisdiction of the Washington state department of
27 corrections, or his or her designee.

28 (28) "Transportation" means the conveying, by any means, of an
29 incarcerated pregnant woman or youth from the correctional facility
30 to another location from the moment she leaves the correctional
31 facility to the time of arrival at the other location, and includes
32 the escorting of the pregnant incarcerated woman or youth from the
33 correctional facility to a transport vehicle and from the vehicle to
34 the other location.

35 (29) "Unfair competition" means any net competitive advantage
36 that a business may acquire as a result of a correctional industries
37 contract, including labor costs, rent, tax advantages, utility rates
38 (water, sewer, electricity, and disposal), and other overhead costs.
39 To determine net competitive advantage, the department of corrections

1 shall review and quantify any expenses unique to operating a for-
2 profit business inside a prison.

3 (30) "Vocational training" or "vocational education" means
4 "vocational education" as defined in RCW 72.62.020.

5 (31) "Washington business" means an in-state manufacturer or
6 service provider subject to chapter 82.04 RCW existing on June 10,
7 2004.

8 (32) "Work programs" means all classes of correctional industries
9 jobs authorized under RCW 72.09.100.

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