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**HOUSE BILL 2656**

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**State of Washington                      69th Legislature                      2026 Regular Session**

**By** Representatives Fosse, Santos, Peterson, Parshley, and Obras

Read first time 01/26/26. Referred to Committee on Community Safety.

1            AN ACT Relating to the creation of a statewide registry for  
2 locations where individuals are incarcerated or involuntarily  
3 confined in Washington; adding new sections to chapter 43.70 RCW;  
4 prescribing penalties; and declaring an emergency.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.70  
7 RCW to read as follows:

8            (1) The department shall create a statewide registry for  
9 detention facilities operating in Washington. The registry must, at a  
10 minimum, include the following information for each facility:

11            (a) The name of the facility, if any;

12            (b) The street address of the facility;

13            (c) The maximum number of persons that may be detained at one  
14 time in the facility;

15            (d) The average number of persons who were detained per day in  
16 the facility for the previous calendar year; and

17            (e) The name and contact information for the person in charge or  
18 the owner of the facility.

19            (2) Beginning January 1, 2027, each detention facility operating  
20 in Washington shall annually register with the department. A  
21 detention facility operating in Washington on January 1, 2027, shall

1 file its initial registration with the department no later than  
2 February 1, 2027. A detention facility that begins operations after  
3 January 1, 2027, shall file its initial registration with the  
4 department no later than 30 days after beginning operations.

5 (3) A detention facility required to register under this section  
6 must renew its registration annually on a date to be determined by  
7 the department. If a detention facility ceases operations, the entity  
8 responsible for submitting the facility's registration shall notify  
9 the department at least 30 days after ceasing operations.

10 (4) The following individuals and entities shall file the  
11 information required in this section:

12 (a) The government agency responsible for the detention of the  
13 individuals in the facility;

14 (b) The owner of the property on which the facility is located,  
15 if different than the government agency responsible for the detention  
16 of the individuals in the facility; and

17 (c) Any private entity operating the facility.

18 (5)(a) An individual or entity violating this section may be  
19 subject to a civil penalty in an amount of not more than \$1,000 per  
20 violation per day.

21 (b) Subject to the availability of amounts appropriated for this  
22 specific purpose, the secretary may adopt by rule a penalty matrix  
23 that establishes procedures for civil penalties assessed under this  
24 section.

25 (c) Each violation is a separate and distinct offense. The  
26 department shall impose the civil penalty in accordance with chapter  
27 34.05 RCW. Moneys collected under this section must be deposited into  
28 the state general fund.

29 (d) If the civil penalty is not paid to the department within 15  
30 days after receipt of the notice, the office of the attorney general  
31 may bring an action to recover the penalty in the name of the state  
32 of Washington in the superior court of Thurston county or the county  
33 where the detention facility is located. In all such actions, the  
34 procedure and rules of evidence are the same as in ordinary civil  
35 actions. All penalties recovered by the attorney general under this  
36 chapter must be paid into the Washington state attorney general  
37 detention facility registration enforcement account created in  
38 section 2 of this act.

39 (e) The state and its agencies are not subject to a civil penalty  
40 imposed under this section.

1 (6) (a) For purposes of this section, "detention facility" means  
2 any facility, building, or business in which persons are incarcerated  
3 or otherwise involuntarily confined for purposes including prior to  
4 trial or sentencing, fulfilling the terms of a sentence imposed by a  
5 court, or for other judicial or administrative processes or  
6 proceedings.

7 (b) "Detention facility" does not include:

8 (i) A juvenile rehabilitation facility operated by the department  
9 of children, youth, and families or any similar facility operated by  
10 a county or a consortium of counties in which only juveniles are  
11 confined;

12 (ii) An agency, as defined in RCW 74.15.020, licensed by the  
13 department of children, youth, and families;

14 (iii) A facility detaining individuals for purposes of  
15 involuntary treatment or competency restoration, including a  
16 hospital; or

17 (iv) A private home where a person is serving a term of home  
18 detention.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70  
20 RCW to read as follows:

21 The Washington state attorney general detention facility  
22 registration enforcement account is created in the custody of the  
23 state treasurer. All receipts from civil penalties under section 1 of  
24 this act must be deposited into the account. Only the attorney  
25 general or the attorney general's designee may authorize expenditures  
26 from the account. Moneys in the account must be used exclusively for  
27 the costs associated with the attorney general's enforcement of the  
28 provisions of section 1 of this act governing the recovery of civil  
29 penalties. The account is subject to allotment procedures under  
30 chapter 43.88 RCW, but an appropriation is not required for  
31 expenditures.

32 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
33 preservation of the public peace, health, or safety, or support of  
34 the state government and its existing public institutions, and takes  
35 effect immediately.

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