

---

**ENGROSSED SUBSTITUTE SENATE BILL 5906**

---

**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Hansen, Valdez, Bateman, Chapman, Frame, Hasegawa, Hunt, Nobles, Pedersen, Salomon, Slatter, Stanford, and C. Wilson)

READ FIRST TIME 02/02/26.

1       AN ACT Relating to establishing data and personal safety  
2       protections within areas of public accommodation for all Washington  
3       residents; adding a new section to chapter 43.216 RCW; adding a new  
4       section to chapter 43.10 RCW; adding a new section to chapter 28A.320  
5       RCW; adding a new section to chapter 70.02 RCW; adding a new section  
6       to chapter 28B.10 RCW; adding a new section to chapter 29A.04 RCW;  
7       creating a new section; and declaring an emergency.

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

9       NEW SECTION.   **Sec. 1.**   A new section is added to chapter 43.216  
10      RCW to read as follows:

11       (1) Except as required by state or federal law, or as required to  
12      administer a state or federally supported early learning or child  
13      care program, early learning providers may not do either of the  
14      following:

15       (a) Collect information or documents regarding immigration or  
16      citizenship status of students or their family members; or

17       (b) Allow an officer or employee of an agency conducting  
18      immigration enforcement to enter a nonpublic area of an early  
19      learning or child care site for any purpose without being presented  
20      with a valid judicial warrant or court order. An early learning  
21      provider shall, to the extent practicable, request a valid form of

1 identification from an officer or employee of an agency conducting  
2 immigration enforcement seeking to enter a nonpublic area of an early  
3 learning or child care site. This subsection may not be construed to  
4 limit an early learning provider's right to consult with counsel or  
5 challenge the validity of a judicial warrant or court order in a  
6 court of competent jurisdiction.

7 (2) If a worker employed or hired by an early learning provider  
8 is represented by a union and is subject to an immigration  
9 enforcement action on the early learning or child care site, the  
10 early learning provider must contact the worker's collective  
11 bargaining representative.

12 (3) Early learning providers are encouraged to adopt the model  
13 policy described in section 2 of this act.

14 (4) For the purposes of this section, the following definitions  
15 apply:

16 (a) "Early learning providers" include, but are not limited to,  
17 licensed or certified child care centers, family home providers, and  
18 outdoor nature-based child care providers; early childhood education  
19 and assistance program providers; birth to three early childhood  
20 education and assistance program providers; head start and early head  
21 start programs; private and nonprofit preschool; home visitation  
22 programs; and early intervention services providers;

23 (b) "Immigration enforcement" includes any and all efforts to  
24 investigate, enforce, or assist in the investigation or enforcement  
25 of any federal civil immigration law, and any and all efforts to  
26 investigate, enforce, or assist in the investigation or enforcement  
27 of any federal criminal immigration law that penalizes a person's  
28 presence in, entry, or reentry to, or employment in, the United  
29 States;

30 (c) "Immigration or citizenship status" has the same meaning as  
31 defined in RCW 43.17.420; and

32 (d) "Nonpublic area" means any area in which authorized  
33 individuals have a reasonable expectation of privacy. A "nonpublic  
34 area" may be established through methods including, but not limited  
35 to, mapping signage, key entry, and policies limiting access to  
36 authorized individuals.

37 (5) Nothing in this section may be construed to create a private  
38 right of action on the part of any individual or entity.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 43.10  
2    RCW to read as follows:

3        (1) Within 12 months after the effective date of this section,  
4    the attorney general, in consultation with appropriate stakeholders  
5    including, but not limited to, early learning providers and the  
6    department of children, youth, and families, shall publish a model  
7    policy limiting assistance with immigration enforcement at early  
8    learning provider settings and facilities. The model policy must be  
9    consistent with federal and state law and ensure that early learning  
10   provider settings and facilities remain safe and accessible to all  
11   Washington residents, regardless of immigration status or citizenship  
12   status. The attorney general may elect to publish more than one model  
13   policy to address the needs of different early learning providers,  
14   taking into account differences in facilities, settings, available  
15   resources, and other relevant factors.

16        (2) Implementation of any policy under this section must be in  
17   accordance with state and federal law; policies, grants, waivers, or  
18   other requirements necessary to maintain funding; or other agreements  
19   related to the operation and functions of the early learning  
20   provider, including any of the early learning provider's databases.

21        (3) The definitions in RCW 43.17.420 and section 1 of this act  
22   apply to this section.

23        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 28A.320  
24   RCW to read as follows:

25        (1) Except as required by state or federal law or as required to  
26   administer a state or federally supported educational program, school  
27   district employees may not do either of the following:

28        (a) Collect information or documents regarding immigration or  
29   citizenship status of students or their family members; or

30        (b) Allow an officer or employee of an agency conducting  
31   immigration enforcement to enter a nonpublic area of a school site  
32   for any purpose without being presented with a valid judicial warrant  
33   or court order. A school district employee shall, to the extent  
34   practicable, request a valid form of identification from an officer  
35   or employee of an agency conducting immigration enforcement seeking  
36   to enter a nonpublic area of a school site. This subsection may not  
37   be construed to limit a school district's or employee's right to  
38   consult with counsel or challenge the validity of a judicial warrant  
39   or court order in a court of competent jurisdiction.

1 (2) If a school district employee represented by a union is  
2 subject to an immigration enforcement action on the school site, the  
3 school district must contact the employee's collective bargaining  
4 representative.

5 (3) This section does not prohibit a school district from  
6 establishing heightened standards and protections.

7 (4) (a) By the beginning of the 2027-28 school year, each school  
8 district board of directors shall adopt or amend, if necessary, a  
9 policy and procedure for limiting immigration enforcement in schools  
10 that is in accordance with this section.

11 (b) A school district shall maintain its policy and procedures  
12 adopted pursuant to (a) of this subsection and make that policy  
13 available to the office of the superintendent of public instruction  
14 upon request.

15 (5) This section governs school operation and management under  
16 RCW 28A.710.040 and 28A.715.020 and applies to charter schools  
17 established under chapter 28A.710 RCW and state-tribal education  
18 compact schools subject to chapter 28A.715 RCW to the same extent as  
19 it applies to school districts.

20 (6) For the purposes of this section, the following definitions  
21 apply:

22 (a) "Immigration enforcement" has the same meaning as defined in  
23 section 1 of this act;

24 (b) "Immigration or citizenship status" has the same meaning as  
25 defined in RCW 43.17.420;

26 (c) "Nonpublic area" has the same meaning as defined in section 1  
27 of this act;

28 (d) "School district employee" means an officer, employee, agent,  
29 or contractor of a school district; and

30 (e) "School site" means an individual public school campus, an  
31 area where a school-sponsored activity is currently being held, or a  
32 school bus or other transportation provided by a school district.

33 (7) Nothing in this section may be construed to create a private  
34 right of action on the part of any individual or entity.

35 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.02  
36 RCW to read as follows:

37 (1) To enhance the privacy available to facility users and  
38 residents and promote safe environments conducive to patient and

1 resident care, health care facilities and adult family homes shall  
2 develop policies to designate areas as public or nonpublic.

3 (2) Unless required by state or federal law, health care  
4 facilities and adult family homes and their workers may not allow any  
5 person access to the nonpublic areas of the facilities or homes, for  
6 immigration enforcement purposes, unless the person has a valid  
7 judicial warrant or court order that specifically grants access to  
8 nonpublic areas of the facilities or homes.

9 (3) Health care facilities and adult family homes and their  
10 workers shall, to the extent possible, have the denial of permission  
11 for access to nonpublic areas of the facilities or homes pursuant to  
12 subsection (2) of this section witnessed and documented by at least  
13 one other worker.

14 (4) If a worker employed or hired by a health care facility or  
15 adult family home is represented by a union and is subject to an  
16 immigration enforcement action at the facility or home, the health  
17 care facility or adult family home shall contact the worker's  
18 collective bargaining representative.

19 (5) Health care facilities and adult family homes shall inform  
20 workers and relevant volunteers on how to respond to requests  
21 relating to immigration enforcement that grant access to health care  
22 facility sites, adult family homes, patients, or residents.

23 (6) For the purposes of this section, the following definitions  
24 apply:

25 (a) "Adult family home" has the same meaning as defined in RCW  
26 70.128.010;

27 (b) "Immigration enforcement" has the same meaning as defined in  
28 section 1 of this act; and

29 (b) "Nonpublic area" has the same meaning as defined in section 1  
30 of this act.

31 (7) Nothing in this section may be construed to create a private  
32 right of action on the part of any individual or entity.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.10  
34 RCW to read as follows:

35 (1) Governing boards shall develop policies to designate areas of  
36 institutions of higher education as public or nonpublic.

37 (2) Except as required by state or federal law or as required to  
38 administer a state or federally supported educational program,  
39 faculty, employees, and volunteers of an institution of higher

1 education may not allow an officer or employee of an agency  
2 conducting immigration enforcement to enter a nonpublic area of the  
3 institution for any purpose without being presented with a valid  
4 judicial warrant or court order. A faculty member, employee, or  
5 volunteer shall, to the extent practicable, direct the immigration  
6 officer to the office of the president, or their designee, for  
7 purposes of verifying the legality of any judicial warrant or court  
8 order. This subsection may not be construed to limit an institution's  
9 or individual's right to consult with counsel or challenge the  
10 validity of a judicial warrant or court order in a court of competent  
11 jurisdiction.

12 (3) If a faculty member or employee of an institution of higher  
13 education is represented by a union and is subject to an immigration  
14 enforcement action at the institution, the institution shall contact  
15 the faculty member's or employee's collective bargaining  
16 representative.

17 (4) This section does not prohibit an institution of higher  
18 education from establishing heightened standards and protections.

19 (5) For the purposes of this section, the following definitions  
20 apply:

21 (a) "Immigration enforcement" has the same meaning as defined in  
22 section 1 of this act;

23 (b) "Immigration officer" means any state, local, or federal law  
24 enforcement officer who is seeking to enforce immigration law;

25 (c) "Institution of higher education" has the same meaning as  
26 defined in RCW 28B.92.030; and

27 (d) "Nonpublic area" has the same meaning as defined in section 1  
28 of this act.

29 (6) Nothing in this section may be construed to create a private  
30 right of action on the part of any individual or entity.

31 NEW SECTION. **Sec. 6.** A new section is added to chapter 29A.04  
32 RCW to read as follows:

33 (1) During primaries, general elections, and special elections, a  
34 county auditor shall designate as nonpublic any place where ballots  
35 are handled, processed, counted, or tabulated.

36 (2) Unless required by state or federal law, any election  
37 officer, or any worker or volunteer of a county auditor's office, may  
38 not allow any person access to nonpublic areas as described in  
39 subsection (1) of this section for immigration enforcement purposes,

1 unless the person has a valid judicial warrant or court order that  
2 specifically grants access to those nonpublic areas.

3 (3) An election officer, or a worker or volunteer of a county  
4 auditor's office, shall, to the extent possible, have the denial of  
5 permission for access to nonpublic areas pursuant to subsection (2)  
6 of this section witnessed and documented by at least one other  
7 election officer, worker, or volunteer.

8 (4) The county auditor shall inform election officers, workers,  
9 and volunteers on how to respond to requests relating to immigration  
10 enforcement that grants access to nonpublic areas as described in  
11 subsection (1) of this section.

12 (5) For the purposes of this section, the following definitions  
13 apply:

14 (a) "Immigration enforcement" has the same meaning as defined in  
15 section 1 of this act; and

16 (b) "Nonpublic area" has the same meaning as defined in section 1  
17 of this act.

18 (6) Nothing in this section may be construed to create a private  
19 right of action on the part of any individual or entity.

20 NEW SECTION. **Sec. 7.** If any provision of this act or its  
21 application to any person or circumstance is held invalid, the  
22 remainder of the act or the application of the provision to other  
23 persons or circumstances is not affected.

24 NEW SECTION. **Sec. 8.** This act may be known and cited as the  
25 secure and accountable federal enforcement (SAFE) act.

26 NEW SECTION. **Sec. 9.** This act is necessary for the immediate  
27 preservation of the public peace, health, or safety, or support of  
28 the state government and its existing public institutions, and takes  
29 effect immediately.

--- END ---