
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 28A.320 RCW; adding a new section to chapter 70.02
5 RCW; adding a new section to chapter 28B.10 RCW; adding a new section
6 to chapter 29A.04 RCW; creating a new section; and declaring an
7 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) For the purposes of this section, the following definitions
13 apply:

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

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

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

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

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

37 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
38 RCW to read as follows:

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

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

6 (b) Allow an officer or employee of an agency conducting
7 immigration enforcement to enter a nonpublic area of a school site
8 for any purpose without being presented with a valid judicial warrant
9 or court order. A school district employee shall, to the extent
10 practicable, request a valid form of identification from an officer
11 or employee of an agency conducting immigration enforcement seeking
12 to enter a nonpublic area of a school site. This subsection may not
13 be construed to limit a school district's or employee's right to
14 consult with counsel or challenge the validity of a judicial warrant
15 or court order in a court of competent jurisdiction.

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

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

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

26 (b) A school district shall maintain its policy and procedures
27 adopted pursuant to (a) of this subsection and make that policy
28 available to the office of the superintendent of public instruction
29 upon request.

30 (5) This section governs school operation and management under
31 RCW 28A.710.040 and 28A.715.020 and applies to charter schools
32 established under chapter 28A.710 RCW and state-tribal education
33 compact schools subject to chapter 28A.715 RCW to the same extent as
34 it applies to school districts.

35 (6) For the purposes of this section, the following definitions
36 apply:

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

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

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

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

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

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

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.02
11 RCW to read as follows:

12 (1) To enhance privacy available to facility users and residents
13 and promote a safe environment conducive to the facility's mission
14 and patient care, health care facilities, as well as adult family
15 homes, shall develop policies to designate areas as public or
16 nonpublic.

17 (2) Unless required by state or federal law, a health care
18 facility or adult family home and its personnel may not allow any
19 person access to the nonpublic areas of the facility, for immigration
20 enforcement purposes, unless the person has a valid judicial warrant
21 or court order that specifically grants access to the nonpublic areas
22 of the facility.

23 (3) A health care facility and adult family homes and its
24 personnel shall, to the extent possible, have the denial of
25 permission for access to nonpublic areas of the facility pursuant to
26 subsection (2) of this section witnessed and documented by at least
27 one other health care facility or adult family home employee.

28 (4) Health care facilities and adult family homes shall inform
29 staff and relevant volunteers on how to respond to requests relating
30 to immigration enforcement that grant access to health care facility
31 sites, adult family homes, patients, or residents.

32 (5) For the purposes of this section, the following definitions
33 apply:

34 (a) "Adult family home" has the same meaning as defined in RCW
35 70.128.010;

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

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

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

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 28B.10
4 RCW to read as follows:

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

7 (2) Except as required by state or federal law or as required to
8 administer a state or federally supported educational program,
9 faculty, employees, and volunteers of an institution of higher
10 education may not allow an officer or employee of an agency
11 conducting immigration enforcement to enter a nonpublic area of the
12 institution for any purpose without being presented with a valid
13 judicial warrant or court order. A faculty member, employee, or
14 volunteer shall, to the extent practicable, direct the immigration
15 officer to the office of the president, or their designee, for
16 purposes of verifying the legality of any judicial warrant or court
17 order. This subsection may not be construed to limit an institution's
18 or individual's right to consult with counsel or challenge the
19 validity of a judicial warrant or court order in a court of competent
20 jurisdiction.

21 (3) This section does not prohibit an institution of higher
22 education from establishing heightened standards and protections.

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

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

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

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

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

33 (5) 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. 5.** A new section is added to chapter 29A.04
36 RCW to read as follows:

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

4 (2) Unless required by state or federal law, any election
5 officer, or any worker or volunteer of a county auditor's office, may
6 not allow any person access to nonpublic areas as described in
7 subsection (1) of this section for immigration enforcement purposes,
8 unless the person has a valid judicial warrant or court order that
9 specifically grants access to those nonpublic areas.

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

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

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; and

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

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

27 NEW SECTION. **Sec. 6.** If any provision of this act or its
28 application to any person or circumstance is held invalid, the
29 remainder of the act or the application of the provision to other
30 persons or circumstances is not affected.

31 NEW SECTION. **Sec. 7.** This act may be known and cited as the
32 secure and accountable federal enforcement (SAFE) act.

33 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes
2 effect immediately.

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