

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2539

Chapter 205, Laws of 2026

69th Legislature
2026 Regular Session

INMATE FUNDS—INDIGENCY THRESHOLD

EFFECTIVE DATE: June 11, 2026

Passed by the House March 11, 2026
Yeas 57 Nays 38

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 3, 2026
Yeas 30 Nays 18

DENNY HECK

President of the Senate

Approved March 24, 2026 2:12 PM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2539** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 25, 2026

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2539

AS AMENDED BY THE SENATE

Passed Legislature - 2026 Regular Session

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; amending RCW 72.09.015; and
2 adding a new section to chapter 72.09 RCW.

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

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

6 The definitions in this section apply throughout this chapter.

7 (1) "Adult basic education" means education or instruction
8 designed to achieve general competence of skills in reading, writing,
9 and oral communication, including English as a second language and
10 preparation and testing services for obtaining a high school diploma
11 or a high school equivalency certificate as provided in RCW
12 28B.50.536.

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

16 (3) "Civil judgment for assault" means a civil judgment for
17 monetary damages awarded to a correctional officer or department
18 employee entered by a court of competent jurisdiction against an
19 inmate that is based on, or arises from, injury to the correctional
20 officer or department employee caused by the inmate while the

1 correctional officer or department employee was acting in the course
2 and scope of his or her employment.

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

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

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

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

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

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

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

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

26 (12) "Good conduct" means compliance with department rules and
27 policies.

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

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

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

1 utilize funds and during the 30 days previous to the request. The
2 dollar amount for this definition shall be adjusted pursuant to
3 section 2 of this act.

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

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

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

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

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

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

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

37 (20) "Postpartum recovery" means (a) the entire period a woman or
38 youth is in the hospital, birthing center, or clinic after giving
39 birth and (b) an additional time period, if any, a treating physician

1 determines is necessary for healing after the woman or youth leaves
2 the hospital, birthing center, or clinic.

3 (21) "Privilege" means any goods or services, education or work
4 programs, or earned early release days, the receipt of which are
5 directly linked to an inmate's (a) good conduct; and (b) good
6 performance. Privileges do not include any goods or services the
7 department is required to provide under the state or federal
8 Constitution or under state or federal law.

9 (22) "Promising practice" means a practice that presents, based
10 on preliminary information, potential for becoming a research-based
11 or consensus-based practice.

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

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

17 (a) Physical restraint; or

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

21 (25) "Secretary" means the secretary of corrections or his or her
22 designee.

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

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

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

39 (29) "Unfair competition" means any net competitive advantage
40 that a business may acquire as a result of a correctional industries

1 contract, including labor costs, rent, tax advantages, utility rates
2 (water, sewer, electricity, and disposal), and other overhead costs.
3 To determine net competitive advantage, the department of corrections
4 shall review and quantify any expenses unique to operating a for-
5 profit business inside a prison.

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

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

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

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09
14 RCW to read as follows:

15 (1) Beginning July 1, 2029, and July 1st of every four years
16 thereafter, the department shall increase the \$100 "indigent inmate,"
17 "indigent," and "indigency" definition in RCW 72.09.015(15) by
18 adjusting the amount using the most current seasonally adjusted index
19 of the consumer price index for all urban consumers as published by
20 the bureau of labor statistics of the United States department of
21 labor. If an adjustment using the consumer price index would reduce
22 the indigency amount from a prior amount, then the department shall
23 not adjust the amount.

24 (2) Beginning July 1, 2027, the department shall publish the
25 indigent rate on their public website and at each correctional
26 facility in an area accessible to an incarcerated inmate, within five
27 business days of July 1st of each year.

Passed by the House March 11, 2026.

Passed by the Senate March 3, 2026.

Approved by the Governor March 24, 2026.

Filed in Office of Secretary of State March 25, 2026.

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