CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5855

Chapter 115, Laws of 2026

69th Legislature
2026 Regular Session

LAW ENFORCEMENT OFFICERS—USE OF FACE COVERINGS

EFFECTIVE DATE: March 19, 2026

Passed by the Senate March 9, 2026
Yeas 30 Nays 19

DENNY HECK

President of the Senate

Passed by the House March 3, 2026
Yeas 56 Nays 37

LAURIE JINKINS

Speaker of the House of Representatives

Approved March 19, 2026 11:51 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5855** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 19, 2026

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 5855

AS AMENDED BY THE HOUSE

Passed Legislature - 2026 Regular Session

State of Washington 69th Legislature 2026 Regular Session

By Senate Law & Justice (originally sponsored by Senators Valdez, Chapman, Lovick, Trudeau, Wellman, Slatter, Bateman, Frame, Cortes, Saldaña, Robinson, Stanford, Kauffman, Cleveland, Nobles, Lovelett, Orwall, Hasegawa, Pedersen, Riccelli, Shewmake, Alvarado, C. Wilson, Hunt, Conway, Dhingra, and Salomon)

READ FIRST TIME 01/16/26.

AN ACT Relating to the use of face coverings by law enforcement officers; adding a new section to chapter 10.116 RCW; and declaring an emergency.

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

NEW SECTION. **Sec. 1.** A new section is added to chapter 10.116 RCW to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Facial covering" means any opaque mask, garment, or other item that conceals or obscures the facial identity of an individual including, but not limited to, a balaclava, tactical mask, gator, ski mask, and any similar type of facial covering or face-shielding item. "Facial covering" does not include any of the following:

(i) A translucent face shield or clear mask that does not conceal the wearer's facial identity.

(ii) An N95 medical mask or surgical mask to protect against transmission of disease or infection or any other mask or device including, but not limited to, air-purifying respirators, full or half masks, or self-contained breathing apparatuses necessary to protect against exposure to any toxin, gas, smoke, or any other hazardous environmental condition.

(iii) A helmet used to protect the wearer's head during transportation on a bicycle, wheeled all-terrain vehicle as defined in RCW 46.09.310, snowmobile as defined in RCW 46.04.546, helicopter, or any other vehicle for which a helmet may be used to protect the wearer's head.

(iv) A head or face covering worn for religious purposes.

(b) "Law enforcement officer" means any peace officer defined in RCW 10.116.010 or any employee or agent of the United States government who has the authority to carry firearms and make warrantless arrests and whose duties involve the enforcement of criminal, customs, or immigration laws of the United States.

(c) "Undercover operation" means a planned act authorized by supervising agents, agencies, or a court warrant that uses an undercover operative to intentionally interact with a suspected criminal violator or others, or to obtain evidence of criminal activity.

(d) "Undercover operative" means a law enforcement officer using an assumed name or cover identity to interact with nonlaw enforcement individuals or entities to collect evidence of criminal activity.

(2) Consistent with RCW 10.116.050, a peace officer shall be reasonably identifiable by the officer's clearly displayed name or other information on the officer's uniform that members of the public can see and the agency can use to identify the officer.

(3) A law enforcement officer shall not wear a facial covering while interacting with the public in the performance of the officer's duties.

(4) This section does not apply to the following:

(a) An officer performing their duties as an undercover operative during an active undercover operation;

(b) Protective gear used by special weapons and tactics team officers that are necessary to protect their faces from harm while performing their special weapons and tactics team responsibilities; or

(c) An officer utilizing personal protective equipment as required or authorized under the occupational safety and health act of 1970 (Public Law 91-596; 84 Stat. 1590) or chapter 49.17 RCW and rules adopted pursuant to the federal act or chapter 49.17 RCW.

(5) A person detained by a law enforcement officer in violation of this section may bring a civil action for damages against the officer in his or her official capacity, but an officer is not liable

if, at the time of detention, the officer was in compliance with subsection (2) of this section. A prevailing claimant is entitled to recover any or all of the following remedies upon request: (a) Compensatory damages; (b) punitive damages; (c) costs and reasonable attorneys' fees; (d) injunctive relief; and (e) any other relief deemed appropriate by the court.

NEW SECTION. **Sec. 2.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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

Passed by the Senate March 9, 2026.
Passed by the House March 3, 2026.
Approved by the Governor March 19, 2026.
Filed in Office of Secretary of State March 19, 2026.

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