
HOUSE BILL 2926

State of Washington 64th Legislature 2016 Regular Session

By Representatives Walkinshaw, Jinkins, Hudgins, Stanford, and Santos

Read first time 01/27/16. Referred to Committee on Public Safety.

1 AN ACT Relating to providing public notices of public health,
2 safety, and welfare in a language other than English; amending RCW
3 38.52.070; and adding a new section to chapter 1.20 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 1.20 RCW
6 to read as follows:

7 (1) State agencies required by law or rule to provide public
8 notices to a community or area to advise or inform the public about
9 an imminent or emergent public health, safety, or welfare risk shall
10 provide notices in the language that diverse residents can understand
11 when a significant segment of the community speaks a language other
12 than English and has limited proficiency in English. This requirement
13 applies to notices that include, but are not limited to, proposed
14 locations for criminal facilities or facilities that would house sex
15 offenders. This requirement does not apply to the adoption of rules
16 under chapter 34.05 RCW. Under a state of emergency, state agencies
17 shall provide such notices, information, and services in the
18 languages represented by the specific affected area's demographic
19 data.

20 (2) During emergencies, political subdivisions' emergency
21 management departments must provide accurate written and verbal

1 notices including, but not limited to, evacuation notices and shelter
2 information, in the languages represented by their communities who
3 speak a language other than English.

4 (3) "Significant segment," for purposes of this section, means
5 five percent or more of the residents residing in the affected city,
6 town, or county who are of limited English proficiency.

7 (4) Agencies shall implement the provisions of this section
8 within existing funds.

9 **Sec. 2.** RCW 38.52.070 and 1997 c 49 s 4 are each amended to read
10 as follows:

11 (1) Each political subdivision of this state is hereby authorized
12 and directed to establish a local organization or to be a member of a
13 joint local organization for emergency management in accordance with
14 the state comprehensive emergency management plan and program:
15 PROVIDED, That a political subdivision proposing such establishment
16 shall submit its plan and program for emergency management to the
17 state director and secure his or her recommendations thereon, and
18 verification of consistency with the state comprehensive emergency
19 management plan, in order that the plan of the local organization for
20 emergency management may be coordinated with the plan and program of
21 the state. Local comprehensive emergency management plans must
22 specify the use of the incident command system for multiagency/
23 multijurisdiction operations. No political subdivision may be
24 required to include in its plan provisions for the emergency
25 evacuation or relocation of residents in anticipation of nuclear
26 attack. If the director's recommendations are adverse to the plan as
27 submitted, and, if the local organization does not agree to the
28 director's recommendations for modification to the proposal, the
29 matter shall be referred to the council for final action. The
30 director may authorize two or more political subdivisions to join in
31 the establishment and operation of a joint local organization for
32 emergency management as circumstances may warrant, in which case each
33 political subdivision shall contribute to the cost of emergency
34 management upon such fair and equitable basis as may be determined
35 upon by the executive heads of the constituent subdivisions. If in
36 any case the executive heads cannot agree upon the proper division of
37 cost the matter shall be referred to the council for arbitration and
38 its decision shall be final. When two or more political subdivisions
39 join in the establishment and operation of a joint local organization

1 for emergency management each shall pay its share of the cost into a
2 special pooled fund to be administered by the treasurer of the most
3 populous subdivision, which fund shall be known as the
4 emergency management fund. Each local organization or joint local
5 organization for emergency management shall have a director who shall
6 be appointed by the executive head of the political subdivision, and
7 who shall have direct responsibility for the organization,
8 administration, and operation of such local organization for
9 emergency management, subject to the direction and control of such
10 executive officer or officers. In the case of a joint local
11 organization for emergency management, the director shall be
12 appointed by the joint action of the executive heads of the
13 constituent political subdivisions. Each local organization or joint
14 local organization for emergency management shall perform emergency
15 management functions within the territorial limits of the political
16 subdivision within which it is organized, and, in addition, shall
17 conduct such functions outside of such territorial limits as may be
18 required pursuant to the provisions of this chapter.

19 (2) Each local organization or joint local organization for
20 emergency management shall maintain updated demographic data for
21 their jurisdictions and information on the languages represented by
22 their respective communities.

23 (3) In carrying out the provisions of this chapter each political
24 subdivision, in which any disaster as described in RCW 38.52.020
25 occurs, shall have the power to enter into contracts and incur
26 obligations necessary to combat such disaster, protecting the health
27 and safety of persons and property, and providing emergency
28 assistance and communication to the victims of such disaster in a
29 manner and language the victims will understand. Each political
30 subdivision is authorized to exercise the powers vested under this
31 section in the light of the exigencies of an extreme emergency
32 situation without regard to time-consuming procedures and formalities
33 prescribed by law (excepting mandatory constitutional requirements),
34 including, but not limited to, budget law limitations, requirements
35 of competitive bidding and publication of notices, provisions
36 pertaining to the performance of public work, entering into
37 contracts, the incurring of obligations, the employment of temporary
38 workers, the rental of equipment, the purchase of supplies and

1 materials, the levying of taxes, and the appropriation and
2 expenditures of public funds.

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