

**2SSB 5287** - H COMM AMD

By Committee on State Government & Tribal Relations

**ADOPTED 04/16/2019**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 44.05  
4 RCW to read as follows:

5 (1) After April 1st of each year ending in zero, and by July 1st  
6 of each year ending in zero, the department of corrections shall  
7 furnish to the redistricting commission the following information  
8 regarding the last known place of residence of each inmate  
9 incarcerated in a state adult correctional facility:

10 (a) A unique identifier, other than the inmate's department of  
11 corrections number; and

12 (b) Last known place of residence information sufficiently  
13 specific to determine the congressional and state legislative  
14 districts in which the inmate's last known place of residence is  
15 located.

16 (2) After April 1st of each year ending in zero, and by July 1st  
17 of each year ending in zero, the department of social and health  
18 services shall furnish to the redistricting commission the following  
19 information regarding the last known place of residence of each  
20 person committed to receive involuntary behavioral health treatment  
21 under chapter 71.05 RCW:

22 (a) A unique identifier, other than the person's patient  
23 identification number; and

24 (b) Last known place of residence information sufficiently  
25 specific to determine the congressional and state legislative  
26 districts in which the resident's last known place of residence is  
27 located.

28 (3) After April 1st of each year ending in zero, and by July 1st  
29 of each year ending in zero, the department of children, youth, and  
30 families shall furnish to the redistricting commission the following  
31 information regarding the last known place of residence of each  
32 person residing or placed in a juvenile justice facility:

1 (a) A unique identifier, other than the person's patient  
2 identification number; and

3 (b) Last known place of residence information sufficiently  
4 specific to determine the congressional and state legislative  
5 districts in which the resident's last known place of residence is  
6 located.

7 (4) The redistricting commission shall:

8 (a) Deem each inmate incarcerated in a state adult correctional  
9 facility and person residing or placed in a juvenile justice facility  
10 or committed to receive involuntary behavioral health treatment under  
11 chapter 71.05 RCW as residing at his or her last known place of  
12 residence, rather than at the institution of his or her  
13 incarceration, residence, or placement;

14 (b) Regardless of the form in which the information is furnished,  
15 refrain from publishing any information regarding a specific inmate's  
16 or resident's last known place of residence;

17 (c) Deem an inmate or resident in state custody in Washington  
18 whose last known place of residence is outside of Washington or whose  
19 last known place of residence cannot be determined to reside at the  
20 location of the facility in which the inmate or resident is  
21 incarcerated, placed, or committed; and

22 (d) Adjust race and ethnicity data in districts, wards, and  
23 precincts in a manner that reflects the inclusion of inmates and  
24 residents in the population count of the district, ward, or precinct  
25 of their last known place of residence.

26 (5) For purposes of this section:

27 (a) "Inmate incarcerated in a state adult correctional facility"  
28 includes an inmate who has been transferred to a facility outside of  
29 Washington to complete his or her term of incarceration.

30 (b) "Last known place of residence" means the address at which  
31 the inmate or resident was last domiciled prior to his or her  
32 placement or current term of incarceration, as reported by the inmate  
33 or resident.

34 (c) "Person residing or placed in a juvenile justice facility"  
35 and "person committed to receive involuntary behavioral health  
36 treatment under chapter 71.05 RCW" include a person who has been  
37 transferred to a facility outside of Washington.

38 (d) "Resident" means persons residing or placed in a juvenile  
39 justice facility or committed to receive involuntary behavioral  
40 health treatment under chapter 71.05 RCW.

1       **Sec. 2.** RCW 44.05.090 and 1990 c 126 s 1 are each amended to  
2 read as follows:

3       In the redistricting plan:

4       (1) Districts shall have a population as nearly equal as is  
5 practicable, excluding nonresident military personnel, based on the  
6 population reported in the federal decennial census as adjusted by  
7 section 1 of this act.

8       (2) To the extent consistent with subsection (1) of this section  
9 the commission plan should, insofar as practical, accomplish the  
10 following:

11       (a) District lines should be drawn so as to coincide with the  
12 boundaries of local political subdivisions and areas recognized as  
13 communities of interest. The number of counties and municipalities  
14 divided among more than one district should be as small as possible;

15       (b) Districts should be composed of convenient, contiguous, and  
16 compact territory. Land areas may be deemed contiguous if they share  
17 a common land border or are connected by a ferry, highway, bridge, or  
18 tunnel. Areas separated by geographical boundaries or artificial  
19 barriers that prevent transportation within a district should not be  
20 deemed contiguous; and

21       (c) Whenever practicable, a precinct shall be wholly within a  
22 single legislative district.

23       (3) The commission's plan and any plan adopted by the supreme  
24 court under RCW 44.05.100(4) shall provide for forty-nine legislative  
25 districts.

26       (4) The house of representatives shall consist of ninety-eight  
27 members, two of whom shall be elected from and run at large within  
28 each legislative district. The senate shall consist of forty-nine  
29 members, one of whom shall be elected from each legislative district.

30       (5) The commission shall exercise its powers to provide fair and  
31 effective representation and to encourage electoral competition. The  
32 commission's plan shall not be drawn purposely to favor or  
33 discriminate against any political party or group.

34       NEW SECTION.   **Sec. 3.** This act is necessary for the immediate  
35 preservation of the public peace, health, or safety, or support of  
36 the state government and its existing public institutions, and takes  
37 effect July 1, 2019."

38       Correct the title.

EFFECT: Requires the Redistricting Commission to use the location of the facility in which inmates or residents are incarcerated, placed, or committed when determining the residence of inmates or residents whose last known place of residence was outside of Washington or cannot be determined.

Permits the Redistricting Commission to draw district lines based on the census data as modified by the prior residence data for people in certain custodial settings. Requires the Commission to modify census data to use the last known place of residence for minors in juvenile justice or involuntary behavioral health treatment facilities. Requires the Departments of Children, Youth, and Families and Social and Health Services to provide the Commission with prior residence information about those minors.

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