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**SUBSTITUTE SENATE BILL 5287**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senate State Government, Tribal Relations & Elections (originally sponsored by Senators Darneille and Hunt)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to ensuring accurate redistricting by counting  
2 individuals in state custody as residents of their last known place  
3 of residence; and adding a new section to chapter 44.05 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 44.05  
6 RCW to read as follows:

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

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

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

18 (2) After April 1st of each year ending in zero, and by July 1st  
19 of each year ending in zero, the department of social and health  
20 services shall furnish to the redistricting commission the following  
21 information regarding the last known place of residence of each

1 person eighteen years of age or older residing or placed in a  
2 juvenile justice facility or involuntary commitment facility:

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

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

9 (3) The department of corrections shall not furnish information  
10 for inmates whose last known place of residence is outside of  
11 Washington or whose last known place of residence cannot be  
12 determined.

13 (4) The department of social and health services shall not  
14 furnish information for persons residing or placed in a juvenile  
15 justice facility or involuntary commitment facility whose last known  
16 place of residence is outside of Washington or whose last known place  
17 of residence cannot be determined.

18 (5) The redistricting commission shall:

19 (a) Deem each inmate incarcerated in a state adult correctional  
20 facility and person residing or placed in a juvenile justice facility  
21 or involuntary commitment facility as residing at his or her last  
22 known place of residence, rather than at the institution of his or  
23 her incarceration, residence, or placement;

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

27 (c) Deem an inmate or resident in state custody in Washington  
28 whose last known place of residence is outside of Washington or whose  
29 last known place of residence cannot be determined to reside at an  
30 unknown geographical location in the state and exclude the inmate or  
31 resident from the population count for any district, ward, or  
32 precinct; and

33 (d) Adjust race and ethnicity data in districts, wards, and  
34 precincts that contain prisons, juvenile justice facilities, or  
35 involuntary commitment facilities in a manner that reflects  
36 reductions in the local population as inmates and residents are  
37 included in the population count of the district, ward, or precinct  
38 of their last known place of residence.

39 (6) For purposes of this section:

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

4 (b) "Last known place of residence" means the address at which  
5 the inmate was last domiciled prior to his or her current term of  
6 incarceration, as determined from the court records of the county in  
7 which the inmate was sentenced to his or her current term of  
8 incarceration.

9 (c) "Person eighteen years of age or older residing or placed in  
10 a juvenile justice facility or involuntary commitment facility"  
11 includes a person who has been transferred to a facility outside of  
12 Washington.

13 (d) "Resident" includes persons residing or placed in a juvenile  
14 justice facility or involuntary commitment facility.

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