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**Community Safety, Justice, & Reentry  
Committee**

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**SB 5131**

**Brief Description:** Concerning money received by the department of corrections on behalf of inmates from family or other outside sources for the purchase of commissary items.

**Sponsors:** Senators Wilson, C., Frame, Hasegawa, Kuderer, Nguyen, Nobles, Saldaña and Stanford.

**Brief Summary of Bill**

- Provides that money received by the Department of Corrections on behalf of an incarcerated person from family or other outside sources for the purchase of commissary items is exempt from certain deductions.

**Hearing Date:** 3/13/23

**Staff:** Corey Patton (786-7388).

**Background:**

When an incarcerated person in the custody of the Department of Corrections (DOC) receives any funds in addition to the incarcerated person's wages or gratuities, the additional funds are generally subject to the following statutorily authorized deductions:

- 5 percent for the Crime Victims' Compensation Account;
- 10 percent for the inmate's personal savings account;
- 20 percent for payment of legal financial obligations;
- 20 percent for child support payments;
- 20 percent for contributions to the cost of incarceration; and
- 20 percent for payment of applicable civil judgments for Assault.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

However, the incarcerated person's funds may be exempt from deductions under certain circumstances. For example, funds received for the payment of education or vocational programs or postsecondary education degree programs offered by the DOC are exempt from deductions.

The DOC operates a commissary system that allows an incarcerated person to purchase personal items that are not otherwise furnished by the DOC's correctional facilities. Under agency policy, the DOC may establish limits on the maximum dollar amount, frequency, and quantity of purchases. The items available to an incarcerated person depend on the incarcerated person's classification level and the particular correctional facility. Examples of items available through the commissary include:

- hygiene items;
- food and beverages;
- postage supplies;
- writing materials;
- vitamins;
- health related items; and
- other personal items.

**Summary of Bill:**

Money received by the Department of Corrections on behalf of an incarcerated person from family or other outside sources for the purchase of commissary items is exempt from deductions. Such money may only be used for the purchase of items on the facility commissary list, may not exceed the monthly allowance for commissary purchases, and may not be transferred to any other fund, account, or purpose. Money that remains unused in the incarcerated person's commissary fund at the time of release is subject to deductions.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.