
HOUSE BILL 2216

State of Washington**69th Legislature****2026 Regular Session****By** Representatives Parshley, Ryu, Callan, Mena, and Hall

Prefiled 12/30/25.

1 AN ACT Relating to protecting emergency responders and emergency
2 response operations in Washington; amending RCW 9A.76.020; adding a
3 new section to chapter 35.21 RCW; adding a new section to chapter
4 36.01 RCW; adding new sections to chapter 38.52 RCW; creating new
5 sections; and prescribing penalties.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that undue
8 interference with emergency responders working to mitigate an ongoing
9 emergency or disaster can obstruct emergency response operations and
10 endanger the lives and property of the residents of Washington. It is
11 the intent of the legislature to preserve the integrity of emergency
12 response operations, protect the rights and safety of all emergency
13 responders, and to ensure due process of law throughout the state.

14 **Sec. 2.** RCW 9A.76.020 and 2001 c 308 s 3 are each amended to
15 read as follows:

16 (1) A person is guilty of obstructing ~~((a law enforcement~~
17 ~~officer))~~ an emergency responder if the person willfully hinders,
18 delays, or obstructs any ~~((law enforcement officer))~~ emergency
19 responder in the discharge of his or her official powers or duties if
20 the emergency responder is in uniform, announces he or she is an

1 emergency responder, or a reasonable person would understand based on
2 the totality of the circumstances that he or she is an emergency
3 responder.

4 (2) ((Law enforcement officer)) "Emergency responder" means
5 ((any)):

6 (a) Any general authority, limited authority, or specially
7 commissioned Washington peace officer or federal peace officer as
8 those terms are defined in RCW 10.93.020, and other public officers
9 who are responsible for enforcement of fire, building, zoning, and
10 life and safety codes;

11 (b) Any employee or agent of a government agency or private
12 corporation that provides firefighting, fire response, fire control,
13 or fire suppression services, who is responding to or engaged in an
14 active fire or rescue incident;

15 (c) Any employee or agent of a government agency or private
16 corporation that provides emergency medical transportation, care, or
17 services, who is responding to or engaged in an active medical
18 emergency incident;

19 (d) Any emergency worker as that term is defined in RCW
20 38.52.010; or

21 (e) Any emergency responder as that term is defined in RCW
22 24.60.010.

23 (3) Obstructing ((a law enforcement officer)) an emergency
24 responder is a gross misdemeanor.

25 (4) Nothing in this section shall be construed to prohibit:

26 (a) Activity protected under the Constitution of the United
27 States or the Washington state Constitution; or

28 (b) Activity undertaken by a law enforcement officer for an
29 authorized and lawful purpose.

30 (5) For the purpose of this section, "law enforcement officer"
31 means any general authority, limited authority, or specially
32 commissioned Washington peace officer or federal peace officer as
33 those terms are defined in RCW 10.93.020.

34 NEW SECTION. Sec. 3. A new section is added to chapter 35.21
35 RCW to read as follows:

36 (1) Except as provided in subsection (3) of this section, no
37 agency of any city or town, including unclassified cities or towns,
38 including law enforcement, may use agency funds, facilities,
39 property, equipment, or personnel to investigate, enforce, cooperate

1 with, or assist in the investigation or enforcement of any federal
2 registration or surveillance programs or any other laws, rules, or
3 policies that target Washington residents, or persons working in
4 Washington, solely on the basis of race, religion, immigration, or
5 citizenship status, or national or ethnic origin. This subsection
6 does not apply to any program with the primary purpose of providing
7 persons with services or benefits, or to RCW 9.94A.685.

8 (2) Except as provided in subsection (3) of this section, all
9 agencies of cities or towns including unclassified cities or towns
10 shall review their policies and identify and make any changes
11 necessary to ensure that:

12 (a) Information collected from individuals is limited to the
13 minimum necessary to comply with subsection (3) of this section;

14 (b) Information collected from individuals is not disclosed
15 except as necessary to comply with subsection (3) of this section or
16 as permitted by state or federal law;

17 (c) Agency employees may not condition services or request
18 information or proof regarding a person's immigration status,
19 citizenship status, or place of birth; and

20 (d) Public services are available to, and agency employees shall
21 serve, all Washington residents without regard to immigration or
22 citizenship status.

23 (3) Nothing in subsection (1) or (2) of this section prohibits
24 the collection, use, or disclosure of information that is:

25 (a) Required to comply with state or federal law;

26 (b) In response to a lawfully issued court order;

27 (c) Necessary to perform agency duties, functions, or other
28 business, as permitted by statute or rule, conducted by the agency
29 that is not related to immigration enforcement;

30 (d) Required to comply with policies, grants, waivers, or other
31 requirements necessary to maintain funding; or

32 (e) In the form of deidentified or aggregated data, including
33 census data.

34 (4) Any changes to agency policies required by this section must
35 be made as expeditiously as possible, consistent with agency
36 procedures. Final policies must be published.

37 (5) Agencies of cities or towns including unclassified cities or
38 towns shall begin implementation of this section no later than
39 January 1, 2027, and must demonstrate full compliance by January 1,
40 2028.

1 (6) This section applies to all agencies of cities or towns
2 including unclassified cities or towns operating or existing in
3 Washington on or after January 1, 2027.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01
5 RCW to read as follows:

6 (1) Except as provided in subsection (3) of this section, no
7 agency of any county, including law enforcement, may use agency
8 funds, facilities, property, equipment, or personnel to investigate,
9 enforce, cooperate with, or assist in the investigation or
10 enforcement of any federal registration or surveillance programs or
11 any other laws, rules, or policies that target Washington residents,
12 or persons working in Washington, solely on the basis of race,
13 religion, immigration, or citizenship status, or national or ethnic
14 origin. This subsection does not apply to any program with the
15 primary purpose of providing persons with services or benefits, or to
16 RCW 9.94A.685.

17 (2) Except as provided in subsection (3) of this section, all
18 agencies of counties shall review their policies and identify and
19 make any changes necessary to ensure that:

20 (a) Information collected from individuals is limited to the
21 minimum necessary to comply with subsection (3) of this section;

22 (b) Information collected from individuals is not disclosed
23 except as necessary to comply with subsection (3) of this section or
24 as permitted by state or federal law;

25 (c) Agency employees may not condition services or request
26 information or proof regarding a person's immigration status,
27 citizenship status, or place of birth; and

28 (d) Public services are available to, and agency employees shall
29 serve, all Washington residents without regard to immigration or
30 citizenship status.

31 (3) Nothing in subsection (1) or (2) of this section prohibits
32 the collection, use, or disclosure of information that is:

33 (a) Required to comply with state or federal law;

34 (b) In response to a lawfully issued court order;

35 (c) Necessary to perform agency duties, functions, or other
36 business, as permitted by statute or rule, conducted by the agency
37 that is not related to immigration enforcement;

38 (d) Required to comply with policies, grants, waivers, or other
39 requirements necessary to maintain funding; or

1 (e) In the form of deidentified or aggregated data, including
2 census data.

3 (4) Any changes to agency policies required by this section must
4 be made as expeditiously as possible, consistent with agency
5 procedures. Final policies must be published.

6 (5) Agencies of counties shall begin implementation of this
7 section no later than January 1, 2027, and must demonstrate full
8 compliance by January 1, 2028.

9 (6) This section applies to all agencies of counties operating or
10 existing in Washington on or after January 1, 2027.

11 NEW SECTION. **Sec. 5.** A new section is added to chapter 38.52
12 RCW to read as follows:

13 (1) Except as provided in subsection (3) of this section, no
14 incident command system, including law enforcement, may use any state
15 or local funds, facilities, property, equipment, or personnel to
16 investigate, enforce, cooperate with, or assist in the investigation
17 or enforcement of any federal registration or surveillance programs
18 or any other laws, rules, or policies that target Washington
19 residents, or persons working in Washington, solely on the basis of
20 race, religion, immigration, or citizenship status, or national or
21 ethnic origin.

22 (2) Nothing in subsection (1) of this section prohibits the
23 collection, use, or disclosure of information that is:

24 (a) Required to comply with state or federal law;

25 (b) In response to a lawfully issued court order;

26 (c) Necessary to perform incident command system duties,
27 functions, or other business, as permitted by statute or rule,
28 conducted by the incident command system that is not related to
29 immigration enforcement;

30 (d) Required to comply with policies, grants, waivers, or other
31 requirements necessary to maintain funding; or

32 (e) In the form of deidentified or aggregated data, including
33 census data.

34 (3) This section applies to all incident command systems
35 directing or coordinating emergency response activities that take
36 place in Washington on or after January 1, 2027.

37 NEW SECTION. **Sec. 6.** A new section is added to chapter 38.52
38 RCW to read as follows:

1 (1) (a) The governor and the executive authority of each political
2 subdivision of the state are authorized to designate any geographic
3 area within their respective jurisdictions that contains an ongoing
4 emergency or disaster as an emergency operation zone. The emergency
5 operation zone may be drawn to include affected and at-risk areas,
6 areas where emergency responders are staging or working, and
7 reasonable buffer zones. The designating authority shall establish a
8 duration for the emergency operation zone's existence that may not
9 exceed 30 days, but the designating authority may modify or renew the
10 designation as needed for emergencies or disasters that spread beyond
11 the zone's established borders or persist beyond the zone's
12 established duration.

13 (b) Whenever a designating authority establishes or modifies an
14 emergency operation zone it shall, as soon as practicable, publish
15 notice of the zone's existence, borders, and duration on the
16 designating authority's publicly accessible website and transmit a
17 copy of the notice to all local, state, and federal law enforcement
18 agencies the designating authority knows or reasonably expects to
19 operate within the emergency operation zone. A notice prepared under
20 this subsection shall include a citation to this section and the
21 statement "**INTERFERENCE WITH EMERGENCY RESPONDERS WITHIN AN EMERGENCY
OPERATION ZONE IS RESTRICTED BY STATE LAW.**"

22 (2) Except as provided in subsection (3) of this section, any law
23 enforcement officer who enters or remains in an emergency operation
24 zone to target an emergency responder for the purpose of enforcing a
25 local, state, or federal law against the emergency responder, shall:

26 (a) Visibly display identification in all places and at all times
27 while present in the emergency operation zone. Identification must
28 include, at minimum, the officer's agency name and an individual
29 identification number the officer's employer can link to the
30 officer's legal name and identity;

31 (b) Disclose to the incident commander, emergency management
32 authority, or designated administrator exercising delegated authority
33 the nature and scope of the officer's intended activities within the
34 emergency operation zone. The officer or the officer's employer must
35 make this disclosure before the officer enters the emergency
36 operation zone or, if the incident command team has not been
37 established at the time of the officer's entry into the emergency
38 operation zone, this disclosure must be made as soon as practicable
39 after the incident command team is established;

1 (c) Obtain a valid judicial warrant before undertaking any
2 search, seizure, or arrest for which a warrant is required, and
3 provide a copy of such warrant upon request to the emergency
4 operation zone incident command team and the subject of the warrant;
5 and

6 (d) Refrain from disrupting emergency operations throughout the
7 emergency operation zone or interfering with any emergency responders
8 within the emergency operation zone, unless acting pursuant to a
9 judicial warrant authorizing a specified search or seizure.

10 (3) The requirements of subsection (2) of this section do not
11 apply to:

12 (a) Any law enforcement officer outside an emergency operation
13 zone;

14 (b) Any law enforcement officer who enters or remains in an
15 emergency operation zone, if the officer does not intend to target an
16 emergency responder for the purpose of enforcing a local, state, or
17 federal law against the emergency responder;

18 (c) Any law enforcement officer who is lawfully operating under a
19 previously established assumed identity for the purpose of
20 investigating a suspected violent offense by an emergency responder
21 who lives, works, or is present in the emergency operation zone, if:
22 (i) The officer is operating under an assumed identity with the
23 knowledge and authorization of the officer's superiors, and (ii)
24 compliance with the requirements of this section would be likely to
25 compromise the ongoing criminal investigation of the emergency
26 responder or endanger the investigating officer; or

27 (d) Any law enforcement officer who cannot reasonably comply with
28 the requirements of this section as a result of an ongoing search for
29 or pursuit of an emergency responder who the officer has probable
30 cause to believe has committed a violent offense or is about to
31 commit a violent offense.

32 (4) A violation of this section is not a criminal or civil
33 offense and does not provide any basis for criminal or civil
34 liability, but such violation must be reported to the attorney
35 general.

36 (5) In response to any reported violation of this section, the
37 attorney general may:

38 (a) Provide notification of the violation to the governor and any
39 affected political subdivision of the state, the attorney general of
40 the United States, the United States department of justice office of

1 the inspector general, and any member or committee of the United
2 States congress or Washington legislature;

3 (b) Publish a public report on the attorney general's website
4 that details the violation; and

5 (c) Provide notification of the violation to any affected
6 individuals and organizations, including legal advocacy
7 organizations.

8 (6) In response to any reported violation of this section by a
9 federal officer or agent that disrupted or interfered with an
10 emergency response or resulted in the detention or arrest of an
11 emergency responder, the attorney general must provide notification
12 of the violation to the attorney general of the United States and the
13 United States department of justice office of the inspector general.
14 The attorney general may provide additional notifications and
15 reporting as provided in subsection (5) of this section.

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

18 (a) "Emergency operation zone" means any designated geographic
19 area as described in subsection (1) of this section that contains an
20 ongoing emergency or disaster.

21 (b) "Emergency responder" means:

22 (i) Any general authority, limited authority, or specially
23 commissioned Washington peace officer or federal peace officer as
24 those terms are defined in RCW 10.93.020, and other public officers
25 who are responsible for enforcement of fire, building, zoning, and
26 life and safety codes;

27 (ii) Any employee or agent of a government agency or private
28 corporation that provides firefighting, fire response, fire control,
29 or fire suppression services, who is responding to an active fire;

30 (iii) Any employee or agent of a government agency or private
31 corporation that provides emergency medical transportation, care, or
32 services, who is responding to an active medical emergency;

33 (iv) Any emergency worker as that term is defined in RCW
34 38.52.010; or

35 (v) Any emergency responder as that term is defined in RCW
36 24.60.010.

37 (c) "Incident command team" means the leadership of an incident
38 command system as that term is defined in RCW 38.52.010.

39 (d) "Law enforcement officer" means any employee, agent, officer,
40 or contractor of any local or state government in the United States,

1 or the federal government of the United States, who enforces local,
2 state, or federal law, and who is authorized to search, seize,
3 detain, or arrest any person.

4 (e) "Violent offense" has the same meaning as provided in RCW
5 9.94A.030.

6 **NEW SECTION.** **Sec. 7.** If any provision of this act or its
7 application to any person or circumstance is held invalid, the
8 remainder of the act or the application of the provision to other
9 persons or circumstances is not affected.

10 **NEW SECTION.** **Sec. 8.** If any part of this act is found to be in
11 conflict with federal requirements that are a prescribed condition to
12 the allocation of federal funds to the state, the conflicting part of
13 this act is inoperative solely to the extent of the conflict and with
14 respect to the agencies directly affected, and this finding does not
15 affect the operation of the remainder of this act in its application
16 to the agencies concerned. Rules adopted under this act must meet
17 federal requirements that are a necessary condition to the receipt of
18 federal funds by the state.

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