

---

**SENATE BILL 6749**

---

**State of Washington**

**54th Legislature**

**1996 Regular Session**

**By** Senators Hochstatter, Schow and Oke

Read first time 01/31/96. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to making welfare work; amending RCW 74.12.340;  
2 reenacting and amending RCW 74.15.020; adding new sections to chapter  
3 74.12 RCW; creating new sections; repealing RCW 74.12.420; and  
4 prescribing penalties.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to  
7 establish as a state goal the delivery of transitional public  
8 assistance. The goal should commit the state to supporting eligible  
9 families seeking state financial assistance in times of financial need  
10 on a temporary time-limited basis. Furthermore, the state should help  
11 eligible families solve their problems through relationships rather  
12 than through increased use of taxpayers money.

13 In addition, it is the intent of this act to encourage the  
14 development of positive relationships among people on public  
15 assistance, to stabilize family life, improve the health and well-being  
16 of women, men, and children, and increase the likelihood of marriage.

17 It is the intent of the state of Washington to provide temporary  
18 transition public assistance to families with children who are  
19 experiencing financial hardship. This financial aid is time-limited

1 and intended to provide financial support while a family finds stable  
2 work. The legislature finds that a time limitation on public  
3 assistance coupled with an immediate but gradual reduction in grant  
4 amounts is more beneficial to establishing self-sufficiency than are  
5 other public assistance programs.

6 Single parents raising children are more likely to be living in  
7 poverty than two-parent families. Common sense tells us that when  
8 single women and children live communally with other women their  
9 ability to reduce their dependency on public assistance and improve the  
10 health and safety of their children is increased. Requiring recipients  
11 to live with other recipients of the same gender on public assistance  
12 will reduce the state's expenditures for child care by enabling them to  
13 share child care responsibilities and to share living expenses. Single  
14 parents raising children alone on public assistance is expensive and  
15 difficult. Child care costs are high and parents are isolated from the  
16 support of other adults. In hard financial times common sense tells us  
17 that people make sacrifices for their children and the state has a  
18 responsibility to establish a system of transitional services that  
19 places the greatest responsibility for self-sufficiency on the parents  
20 of children in need.

21 To further this goal, when an individual seeks temporary financial  
22 aid from the state it is in the individual's best interest and the best  
23 interest of the individual's children to make choices regarding their  
24 living situation. The state must provide the opportunity for parents  
25 to make the best use of the taxpayers' money that is provided to them  
26 by the working citizens of this state. Furthermore, it is in the best  
27 interest of children living on public assistance to be cared for by  
28 people who are selected by their parents.

29 A family that shares living expenses such as rent, heating,  
30 electricity, phone, and water will have greater discretion in the use  
31 of its combined benefits, yielding more money for other needs of  
32 children. In addition, it is more economical to live as a group than  
33 to live as an individual, which is known to all married couples.  
34 Therefore, as a requirement to receive a larger financial grant from  
35 the state, a recipient must make a choice to either live communally  
36 with other recipients of the same gender in housing of his or her  
37 choice or to receive a reduced financial grant.

38 It is the intent of the legislature that the aid to families with  
39 dependent children program encourage marriage. The legislature finds

1 that ninety-five and two-tenths of one percent of Washington parents  
2 expressed the belief that divorce is harmful to children.

3 NEW SECTION. **Sec. 2.** A family or assistance unit is not eligible  
4 to participate in the shared housing arrangement provided for in  
5 section 3 of this act if the recipient is a minor. When a recipient  
6 who is a minor reaches the age of eighteen, the recipient must comply  
7 with section 4 of this act.

8 NEW SECTION. **Sec. 3.** A recipient under eighteen years of age,  
9 unmarried, and either pregnant or having a dependent child or children  
10 in the recipient's care is eligible for a grant equal to fifty percent  
11 of the payment standard based on family size.

12 NEW SECTION. **Sec. 4.** SHARED HOUSING ARRANGEMENT. (1) A family or  
13 assistance unit is not eligible for a full welfare grant in any month  
14 if for that month the family or assistance unit cannot prove to the  
15 department that it is complying with the shared housing arrangement  
16 requirements under this section.

17 (2) Within the first ninety days after eligibility is determined,  
18 an unmarried recipient of aid to families with dependent children must  
19 show proof as determined by department rule that he or she is living  
20 with another public assistance recipient of the same gender. If the  
21 recipient proves that he or she is participating in the shared housing  
22 arrangement the recipient is eligible for the full public assistance  
23 grant for up to an additional six months. Each quarter thereafter, the  
24 financial grant for the assistance unit shall be reduced by twenty-five  
25 percent until a total of twenty-seven months has passed, at which time  
26 the recipient is no longer eligible for public assistance for two  
27 hundred thirteen months. This reduction may be replaced with income  
28 earned in gainful employment. Recipients may retain seventy-five cents  
29 of every dollar they earn while working in gainful employment while  
30 receiving reduced public assistance under this chapter up to the latest  
31 officially published federal poverty level for a family of identical  
32 size.

33 (3) The department shall provide individuals choosing to  
34 participate in the shared housing arrangement with a preprinted post  
35 card on which to list their name, address, phone number, and ages of  
36 children of the recipient. The department shall also provide a

1 one-sheet public information guide as a public service to help  
2 recipients in interviewing other recipients for a shared housing  
3 arrangement. The public information guide shall provide questions that  
4 will help recipients in developing successful, long-term, mutually  
5 beneficial relationships in a shared housing arrangement, but shall not  
6 place the state in the position of any responsibility for approving or  
7 disapproving any shared housing arrangement relationship.

8 (4) If after ninety days a recipient has not declared that he or  
9 she wishes to participate in a shared housing arrangement, the  
10 recipient is eligible for fifty percent of the financial benefits for  
11 which he or she is eligible beginning on the following month and for up  
12 to an additional twelve months of eligibility, at which point his or  
13 her grant shall be reduced each quarter by twenty-five percent for the  
14 remaining twelve months of eligibility, at which time the recipient is  
15 ineligible for public assistance for two hundred thirteen months. This  
16 reduction may be replaced with income earned in gainful employment.  
17 Recipients may retain seventy-five cents of every dollar they earn  
18 while working in gainful employment while receiving reduced public  
19 assistance under this chapter up to the latest officially published  
20 federal poverty level for a family of identical size. In any month that  
21 the recipient can show proof that he or she is living in an approved  
22 shared living arrangement, the recipient is eligible for the full grant  
23 that he or she will receive on the first day of the following month.

24 (5) If a recipient moves out of a shared housing arrangement and  
25 makes the remaining members of the shared housing arrangement  
26 ineligible for the full grant, the remaining recipient has sixty days  
27 to locate another recipient of the same gender to create a shared  
28 housing arrangement to continue in order to participate in the benefits  
29 of the shared housing arrangement.

30 (6) Unless the context clearly requires otherwise, as used in  
31 sections 2 through 9 of this act, "shared housing arrangement" means  
32 the living situation where an eligible unmarried recipient, as part of  
33 the requirements of eligibility for aid to families with dependent  
34 children grants, lives with other recipients of public assistance of  
35 the same gender in order to receive a full public assistance grant.

36 NEW SECTION. **Sec. 5.** ADDITIONAL ELIGIBILITY REQUIREMENTS--SHARED  
37 HOUSING ARRANGEMENT--PARTIAL GRANT. (1) Proof that a recipient of  
38 public assistance under chapter 74.08 RCW is living in a shared housing

1 arrangement with another recipient of public assistance eligible to  
2 receive assistance under chapter 74.08 RCW may be established as  
3 provided by the rules of the department.

4 (2) A recipient who willfully makes a false statement as to his or  
5 her living situation is guilty of an unlawful practice under RCW  
6 74.08.331.

7 NEW SECTION. **Sec. 6.** DURATION OF ELIGIBILITY. Recipients of  
8 public assistance are eligible for a total of twenty-seven months of  
9 public assistance in a lifetime, except that an individual may receive  
10 an additional twenty-seven months of public assistance after two  
11 hundred forty months have elapsed from the first day of the initial  
12 period of eligibility. The additional twenty-seven months public  
13 assistance benefit authorized in this section is subject to the  
14 identical grant reductions and shared housing requirements in section  
15 4 of this act.

16 NEW SECTION. **Sec. 7.** RESUMPTION OF ELIGIBILITY. If a public  
17 assistance recipient terminates eligibility for public assistance for  
18 any reason other than welfare fraud before the recipient's twenty-seven  
19 months are completed, the recipient may reapply and if found eligible  
20 may receive a financial grant for an amount equal to the amount of the  
21 grant received in the last month in which the recipient was previously  
22 eligible, subject to statutory reductions until a total of twenty-seven  
23 monthly payments have been received.

24 If the recipient has received a lump sum payment under section 8 of  
25 this act, four months shall be added to the actual number of months the  
26 recipient has received public assistance, and this number shall be used  
27 in determining eligibility under this section for a financial grant  
28 from the transitional public assistance program.

29 NEW SECTION. **Sec. 8.** EFFECT OF MARRIAGE. If a recipient of  
30 public assistance marries, ends eligibility for public assistance, and  
31 lives with and remains married to his or her spouse as a legally  
32 married couple for twelve months, the recipient shall receive a lump  
33 sum check at that time from the state for the sum of the monthly  
34 financial benefits for the subsequent four months he or she would have  
35 received immediately following the marriage had he or she remained on  
36 public assistance.

1 If the recipient receives a lump sum payment under this section,  
2 four months shall be added to determine the number of months for which  
3 the recipient received public assistance, as provided in section 7 of  
4 this act.

5 NEW SECTION. **Sec. 9.** NONCITIZENS. (1) It is the intent of the  
6 legislature that new immigrants to Washington state provide for  
7 themselves and their families. It is the intent of the legislature to  
8 limit access to certain public assistance benefits by noncitizens.

9 (2) Noncitizens are not eligible for financial grants; medical  
10 assistance; food stamps; or nutrition services including school  
11 lunches, breakfasts, child care nutrition programs, and women, infant,  
12 and children's nutrition programs.

13 **Sec. 10.** RCW 74.12.340 and 1973 1st ex.s. c 154 s 111 are each  
14 amended to read as follows:

15 The department (~~((is authorized to promulgate))~~) may adopt rules  
16 (~~((and regulations))~~) governing the provision of day care as a part of  
17 child welfare services when the secretary determines that a need exists  
18 for such day care and that it is in the best interests of the child,  
19 the parents, or the custodial parent and in determining the need for  
20 such day care priority shall be given to geographical areas having the  
21 greatest need for such care and to members of low income groups in the  
22 population: PROVIDED, That where the family is financially able to pay  
23 part or all of the costs of such care, fees shall be imposed and paid  
24 according to the financial ability of the family. Recipients  
25 participating in a shared housing arrangement under section 5 of this  
26 act are not eligible for state or federally funded child care.

27 **Sec. 11.** RCW 74.15.020 and 1995 c 311 s 18 and 1995 c 302 s 3 are  
28 each reenacted and amended to read as follows:

29 For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless  
30 otherwise clearly indicated by the context thereof, the following terms  
31 shall mean:

32 (1) "Department" means the state department of social and health  
33 services;

34 (2) "Secretary" means the secretary of social and health services;

35 (3) "Agency" means any person, firm, partnership, association,  
36 corporation, or facility which receives children, expectant mothers, or

1 persons with developmental disabilities for control, care, or  
2 maintenance outside their own homes, or which places, arranges the  
3 placement of, or assists in the placement of children, expectant  
4 mothers, or persons with developmental disabilities for foster care or  
5 placement of children for adoption, and shall include the following  
6 irrespective of whether there is compensation to the agency or to the  
7 children, expectant mothers or persons with developmental disabilities  
8 for services rendered:

9 (a) "Group-care facility" means an agency, other than a foster-  
10 family home, which is maintained and operated for the care of a group  
11 of children on a twenty-four hour basis;

12 (b) "Child-placing agency" means an agency which places a child or  
13 children for temporary care, continued care, or for adoption;

14 (c) "Maternity service" means an agency which provides or arranges  
15 for care or services to expectant mothers, before or during  
16 confinement, or which provides care as needed to mothers and their  
17 infants after confinement;

18 (d) "Child day-care center" means an agency which regularly  
19 provides care for a group of children for periods of less than twenty-  
20 four hours;

21 (e) "Family day-care provider" means a child day-care provider who  
22 regularly provides child day care for not more than twelve children in  
23 the provider's home in the family living quarters;

24 (f) "Foster-family home" means an agency which regularly provides  
25 care on a twenty-four hour basis to one or more children, expectant  
26 mothers, or persons with developmental disabilities in the family abode  
27 of the person or persons under whose direct care and supervision the  
28 child, expectant mother, or person with a developmental disability is  
29 placed;

30 (g) "Crisis residential center" means an agency which is a  
31 temporary protective residential facility operated to perform the  
32 duties specified in chapter 13.32A RCW, in the manner provided in RCW  
33 74.13.032 through 74.13.036.

34 (4) "Agency" shall not include the following:

35 (a) Persons related to the child, expectant mother, or person with  
36 developmental disabilities in the following ways:

37 (i) Any blood relative, including those of half-blood, and  
38 including first cousins, nephews or nieces, and persons of preceding  
39 generations as denoted by prefixes of grand, great, or great-great;

1 (ii) Stepfather, stepmother, stepbrother, and stepsister;

2 (iii) A person who legally adopts a child or the child's parent as  
3 well as the natural and other legally adopted children of such persons,  
4 and other relatives of the adoptive parents in accordance with state  
5 law;

6 (iv) Spouses of any persons named in (i), (ii), or (iii) of this  
7 subsection (4)(a), even after the marriage is terminated; or

8 (v) "Extended family members," as defined by the law or custom of  
9 the Indian child's tribe or, in the absence of such law or custom, a  
10 person who has reached the age of eighteen and who is the Indian  
11 child's grandparent, aunt or uncle, brother or sister, brother-in-law  
12 or sister-in-law, niece or nephew, first or second cousin, or  
13 stepparent who provides care in the family abode on a twenty-four-hour  
14 basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

15 (b) Persons who are legal guardians of the child, expectant mother,  
16 or persons with developmental disabilities;

17 (c) Persons who care for a neighbor's or friend's child or  
18 children, with or without compensation, where: (i) The person  
19 providing care for periods of less than twenty-four hours does not  
20 conduct such activity on an ongoing, regularly scheduled basis for the  
21 purpose of engaging in business, which includes, but is not limited to,  
22 advertising such care; or (ii) the parent and person providing care on  
23 a twenty-four-hour basis have agreed to the placement in writing and  
24 the state is not providing any payment for the care;

25 (d) Parents on a mutually cooperative basis exchange care of one  
26 another's children;

27 (e) Parents who are recipients of public assistance living in a  
28 shared living arrangement under section 4 of this act who care for each  
29 others' children;

30 (f) A person, partnership, corporation, or other entity that  
31 provides placement or similar services to exchange students or  
32 international student exchange visitors or persons who have the care of  
33 an exchange student in their home;

34 ((+f)) (g) Nursery schools or kindergartens which are engaged  
35 primarily in educational work with preschool children and in which no  
36 child is enrolled on a regular basis for more than four hours per day;

37 ((+g)) (h) Schools, including boarding schools, which are engaged  
38 primarily in education, operate on a definite school year schedule,

1 follow a stated academic curriculum, accept only school-age children  
2 and do not accept custody of children;

3 ~~((h))~~ (i) Seasonal camps of three months' or less duration  
4 engaged primarily in recreational or educational activities;

5 ~~((i))~~ (j) Hospitals licensed pursuant to chapter 70.41 RCW when  
6 performing functions defined in chapter 70.41 RCW, nursing homes  
7 licensed under chapter 18.51 RCW and boarding homes licensed under  
8 chapter 18.20 RCW;

9 ~~((j))~~ (k) Licensed physicians or lawyers;

10 ~~((k))~~ (l) Facilities providing care to children for periods of  
11 less than twenty-four hours whose parents remain on the premises to  
12 participate in activities other than employment;

13 ~~((l))~~ (m) Facilities approved and certified under chapter 71A.22  
14 RCW;

15 ~~((m))~~ (n) Any agency having been in operation in this state ten  
16 years prior to June 8, 1967, and not seeking or accepting moneys or  
17 assistance from any state or federal agency, and is supported in part  
18 by an endowment or trust fund;

19 ~~((n))~~ (o) Persons who have a child in their home for purposes of  
20 adoption, if the child was placed in such home by a licensed child-  
21 placing agency, an authorized public or tribal agency or court or if a  
22 replacement report has been filed under chapter 26.33 RCW and the  
23 placement has been approved by the court;

24 ~~((o))~~ (p) An agency operated by any unit of local, state, or  
25 federal government or an agency, located within the boundaries of a  
26 federally recognized Indian reservation, licensed by the Indian tribe;

27 ~~((p))~~ (q) An agency located on a federal military reservation,  
28 except where the military authorities request that such agency be  
29 subject to the licensing requirements of this chapter.

30 (5) "Requirement" means any rule, regulation, or standard of care  
31 to be maintained by an agency.

32 (6) "Probationary license" means a license issued as a disciplinary  
33 measure to an agency that has previously been issued a full license but  
34 is out of compliance with licensing standards.

35 NEW SECTION. **Sec. 12.** RCW 74.12.420 and 1994 c 299 s 9 are each  
36 repealed.

1        NEW SECTION.    **Sec. 13.**    Captions used in sections 4 through 9 of  
2 this act do not constitute any part of the law.

3        NEW SECTION.    **Sec. 14.**    Sections 2 through 9 of this act are each  
4 added to chapter 74.12 RCW.

--- END ---