
SENATE BILL 5327

State of Washington

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By Senators Carrell, Zarelli, Becker, Stevens, Baumgartner, Hewitt, King, Schoesler, and Swecker

Read first time 01/20/11. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to limiting the use of public assistance electronic
2 benefit cards; amending RCW 74.08.580; adding a new section to chapter
3 74.08 RCW; prescribing penalties; and providing an effective date.

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

5 **Sec. 1.** RCW 74.08.580 and 2002 c 252 s 1 are each amended to read
6 as follows:

7 (1) Any person receiving public assistance is prohibited from using
8 electronic benefit cards or cash obtained with electronic benefit
9 cards:

10 (a) For the purpose of participating in any of the activities
11 authorized under chapter 9.46 RCW;

12 (b) For the purpose of parimutuel wagering authorized under chapter
13 67.16 RCW; (~~or~~)

14 (c) To purchase lottery tickets or shares authorized under chapter
15 67.70 RCW;

16 (d) For the purpose of participating in or purchasing any
17 activities located in a tattoo, body piercing, or body art shop
18 licensed under chapter 18.300 RCW;

1 (e) To purchase cigarettes as defined in RCW 82.24.010 or tobacco
2 products as defined in RCW 82.26.010;

3 (f) To purchase any items regulated under Title 66 RCW;

4 (g) To purchase any items regulated under chapter 9.41 RCW; or

5 (h) For the purpose of purchasing or participating in any
6 activities in any location listed in subsection (2) of this section.

7 (2) On or before January 1, 2012, the department shall require the
8 electronic benefit card vendor to disable the electronic benefit card
9 for purposes of ATM cash withdrawals and point-of-sale purchases at the
10 following establishments:

11 (a) Taverns licensed under RCW 66.24.330;

12 (b) Beer/wine specialty stores licensed under RCW 66.24.371;

13 (c) Nightclubs licensed under RCW 66.24.600;

14 (d) Contract liquor stores defined under RCW 66.04.010;

15 (e) Bail bond agencies regulated under chapter 18.185 RCW;

16 (f) Firearms dealers regulated under chapter 9.41 RCW;

17 (g) Gambling establishments licensed under chapter 9.46 RCW;

18 (h) Tattoo, body piercing, or body art shops regulated under
19 chapter 18.300 RCW; and

20 (i) Adult entertainment venues with performances that contain
21 erotic material where minors under the age of eighteen are prohibited
22 under RCW 9.68A.150.

23 (3) Violation of subsection (1) or (2) of this section constitutes
24 a gross misdemeanor.

25 (4)(a) The department shall notify, in writing, all recipients of
26 electronic benefit cards that any violation of subsection (1) or (2) of
27 this section could result in civil or criminal legal proceedings and
28 forfeiture of all cash public assistance.

29 (b) Whenever the department receives notice that a person has
30 violated subsection (1) or (2) of this section, the department shall
31 notify the person in writing that the violation could result in civil
32 or criminal legal proceedings and forfeiture of all cash public
33 assistance.

34 (c) The department shall assign a protective payee to the person
35 receiving public assistance who violates subsection (1) or (2) of this
36 section.

37 (5) On or before January 1, 2012, the department shall require the

1 electronic benefit card vendor to disable the electronic benefit card
2 for purposes of ATM withdrawals outside the state of Washington.

3 (6) The cost of implementing this section, if any, shall be offset
4 by an across-the-board ratable reduction to the public assistance grant
5 applicable to all recipients.

6 NEW SECTION. Sec. 2. A new section is added to chapter 74.08 RCW
7 to read as follows:

8 If a person receiving public assistance requests a replacement
9 electronic benefit card, the person must pay a fee in an amount set by
10 the department for issuance of a replacement card. The department may
11 issue one replacement card per person per calendar year. If the person
12 is unable to pay the fee or makes a subsequent request during the same
13 calendar year in which a card is replaced, the department shall issue
14 the replacement card to a protective payee on behalf of the requestor.

15 NEW SECTION. Sec. 3. This act takes effect January 1, 2012.

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