
**Children & Family Services
Committee**

HB 2767

Brief Description: Prohibiting use of public assistance electronic benefit cards for specified purposes.

Sponsors: Representatives Orcutt, Tokuda, Darneille, Chase, Mielke and Boldt.

Brief Summary of Bill

- Prohibits public assistance recipients from using EBT cards to participate in activities at gambling premises, for parimutuel wagering or to purchase lottery tickets or shares.
- Prohibits gambling premises, parimutuel wagering or lottery licensees from allowing EBT cards to be used to participate in activities at gambling premises, for parimutuel wagering or to purchase lottery tickets or shares.

Hearing Date: 2/6/02

Staff: Deborah Frazier (786-7152).

Background:

Public assistance recipients receive and use their cash benefits and food stamp benefits through an electronic benefit transfer (EBT) card. The card resembles a debit or credit card, and is used to purchase goods and services, and to obtain cash at ATMs.

Under current law and administrative rule, public assistance recipients can be assigned a protective payee if the person receiving public assistance has demonstrated an inability to care for money. The state is required to pay all costs and fees associated with the services of the protective payee. Currently, protective payees such as social service agencies and guardians receive \$40 per month per client to perform these functions.

The Washington State Gambling Commission was created by the 1973 legislature as a law enforcement agency with the responsibility of regulating social gambling activities authorized by the legislature and controlling unauthorized gambling activities. In 1992, the legislature added the responsibility to negotiate tribal/state compacts for casino gambling activities and

to implement the terms of such agreements reached with tribes.

The Washington Horse Racing Commission was created by the legislature in March of 1933 and is required to license, regulate and supervise all race meets held in the state.

The Lottery Commission was created by the legislature in 1982, and is required to license, regulate and supervise all lottery games and the sales of tickets or shares.

Summary of Bill:

Public assistance recipients are prohibited from using EBT cards to participate in activities at gambling premises, for parimutuel wagering or to purchase lottery tickets or shares. Violators may be found guilty of a misdemeanor. If convicted, the court must notify the Department of Social and Health Services (DSHS) of the conviction, and the department must assign a protective payee to the recipient.

Gambling premises, parimutuel wagering or lottery licensees are prohibited from allowing EBT cards to be used to participate in activities at gambling premises, for parimutuel wagering or to purchase lottery tickets or shares. Violators may be found guilty of a misdemeanor. If convicted, the court must notify the relevant commission of the conviction, and the commission must impose fines and/or penalties, up to and including revocation of the license.

The Gambling Commission is instructed to consider these provisions as elements to be negotiated with federally recognized Indian tribes during compact negotiations.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.