
SUBSTITUTE HOUSE BILL 2769

State of Washington

58th Legislature

2004 Regular Session

By House Committee on Children & Family Services (originally sponsored by Representatives Pettigrew, Benson, Kagi, Nixon, Miloscia, Tom, Darneille, Dickerson, Linville, Hunter, Simpson, G., Kirby, Moeller, Schual-Berke, Chase, Upthegrove, Morrell, Wood and Hudgins)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to reducing hunger; amending RCW 74.08A.010; adding
2 a new section to chapter 28A.235 RCW; adding a new section to chapter
3 74.04 RCW; creating new sections; and making an appropriation.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that hunger and
6 food insecurity are serious problems in the state. Since the United
7 States department of agriculture began to collect data on hunger and
8 food insecurity in 1995, Washington has been ranked each year within
9 the top five states with the highest levels of hunger. A significant
10 number of these households classified as hungry are families with
11 children.

12 The legislature recognizes the correlation between adequate
13 nutrition and a child's development and school performance. This
14 problem can be greatly diminished through improved access to federal
15 nutrition programs.

16 The legislature also recognizes that improved access to federal
17 nutrition and assistance programs, such as the federal food stamp
18 program, can be a critical factor in enabling recipients to gain the
19 ability to support themselves and their families. This is an important

1 step towards self-sufficiency and decreased long-term reliance on
2 governmental assistance and will serve to strengthen families in this
3 state.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.235
5 RCW to read as follows:

6 (1) For the purposes of this section:

7 (a) "Free or reduced-price lunch" means a lunch served by a school
8 district participating in the national school lunch program to a
9 student qualifying for national school lunch program benefits based on
10 family size-income criteria.

11 (b) "School lunch program" means a meal program meeting the
12 requirements defined by the superintendent of public instruction under
13 subsection (4) of this section.

14 (c) "Summer food service program" means a meal or snack program
15 meeting the requirements defined by the superintendent of public
16 instruction under subsection (5) of this section.

17 (2) School districts shall implement a school lunch program in each
18 public school in the district in which educational services are
19 provided to children in any of the grades kindergarten through four and
20 in which one child or more qualifies for a free or reduced priced
21 lunch. In developing and implementing its school lunch program, each
22 school district may consult with an advisory committee including school
23 staff, community members, and others appointed by the board of
24 directors of the district.

25 (3) Applications to determine free or reduced-price lunch
26 eligibility shall be distributed and collected for all households of
27 children in schools containing any of the grades kindergarten through
28 four and in which there are no United States department of agriculture
29 child nutrition programs. The applications that are collected must be
30 reviewed to determine eligibility for free or reduced-price lunches.

31 (4) Using the most current available school data on free and
32 reduced-price lunch eligibility, the superintendent of public
33 instruction shall adopt a schedule for implementation of school lunch
34 programs at each school required to offer such a program under
35 subsection (2) of this section as follows:

36 (a) Schools not offering a school lunch program and in which
37 twenty-five percent or more of the enrolled students are eligible for

1 free or reduced-price lunch shall implement a school lunch program not
2 later than the second day of school in the 2005-06 school year and in
3 each school year thereafter.

4 (b) Schools not offering a school lunch program and in which less
5 than twenty-five percent of the enrolled students are eligible for free
6 or reduced-price lunch shall implement a school lunch program not later
7 than the second day of school in the 2006-07 school year and in each
8 school year thereafter.

9 (c) The superintendent shall establish minimum standards defining
10 the lunch meals to be served, and such standards must be sufficient to
11 qualify the meals for any available federal reimbursement.

12 (d) Nothing in this section shall be interpreted to prevent a
13 school from implementing a school lunch program earlier than the school
14 is required to do so.

15 (5) Each school district shall implement a summer food service
16 program in each public school in the district in which a summer program
17 of academic, enrichment, or remedial services is provided and in which
18 fifty percent or more of the children enrolled in the school qualify
19 for free or reduced-price lunch. However, the superintendent of public
20 instruction shall develop rules establishing criteria to permit an
21 exemption for a school that can demonstrate availability of an adequate
22 alternative summer feeding program. Sites providing meals should be
23 open to all children in the area, unless a compelling case can be made
24 to limit access to the program. The superintendent of public
25 instruction shall adopt a definition of compelling case and a schedule
26 for implementation as follows:

27 (a) Beginning the summer of 2005 if the school currently offers a
28 school breakfast or lunch program; or

29 (b) Beginning the summer following the school year during which a
30 school implements a school lunch program under subsection (4) of this
31 section.

32 (6) Requirements that school districts have a school lunch program
33 under this section shall not create or imply any state funding
34 obligation for these costs. The legislature does not intend to include
35 these programs within the state's obligation for basic education
36 funding under Article IX of the state Constitution.

37 (7) The requirements in this section shall lapse if the federal

1 reimbursement for any school breakfasts, lunches, or summer food
2 service programs is eliminated.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.04 RCW
4 to read as follows:

5 (1) To the maximum extent allowable by federal law, the department
6 shall implement simplified reporting for the food stamp program by
7 October 31, 2004.

8 (2) For the purposes of this section, "simplified reporting" means
9 the only changes in circumstance that a recipient of a benefit program
10 must report between eligibility reviews are a change of address or an
11 increase of income that would result in ineligibility for the benefit
12 program. Every six months the assistance unit must either complete a
13 semiannual report or participate in an eligibility review.

14 **Sec. 4.** RCW 74.08A.010 and 1997 c 58 s 103 are each amended to
15 read as follows:

16 (1) A family that includes an adult who has received temporary
17 assistance for needy families for sixty months after July 27, 1997,
18 shall be ineligible for further temporary assistance for needy families
19 assistance.

20 (2) For the purposes of applying the rules of this section, the
21 department shall count any month in which an adult family member
22 received a temporary assistance for needy families cash assistance
23 grant unless the assistance was provided when the family member was a
24 minor child and not the head of the household or married to the head of
25 the household.

26 (3) The department shall refer recipients who require specialized
27 assistance to appropriate department programs, crime victims' programs
28 through the department of community, trade, and economic development,
29 or the crime victims' compensation program of the department of labor
30 and industries.

31 (4) The department may exempt a recipient and the recipient's
32 family from the application of subsection (1) of this section by reason
33 of hardship or if the recipient meets the family violence options of
34 section 402(A)(7) of Title IVA of the federal social security act as
35 amended by P.L. 104-193. The number of recipients and their families
36 exempted from subsection (1) of this section for a fiscal year shall

1 not exceed twenty percent of the average monthly number of recipients
2 and their families to which assistance is provided under the temporary
3 assistance for needy families program.

4 (5) The department shall not exempt a recipient and his or her
5 family from the application of subsection (1) of this section until
6 after the recipient has received fifty-two months of assistance under
7 this chapter.

8 (6) To the maximum extent allowable by federal law, beginning on
9 October 31, 2005, the department shall provide transitional food stamp
10 assistance for a period of five months to a household that ceases to
11 receive temporary assistance for needy families assistance. If
12 necessary, the department shall extend the household's food stamp
13 certification until the end of the transition period.

14 NEW SECTION. Sec. 5. The sum of three hundred thousand dollars,
15 or as much thereof as may be necessary, is appropriated for the fiscal
16 year ending June 30, 2005, from the general fund to the office of
17 superintendent of public instruction for the purpose of providing
18 incentive grants to school districts not currently offering breakfast
19 programs in schools that offer educational programs in any grades
20 kindergarten through four.

21 NEW SECTION. Sec. 6. If any part of this act is found to be in
22 conflict with federal requirements that are a prescribed condition to
23 the allocation of federal funds to the state, the conflicting part of
24 this act is inoperative solely to the extent of the conflict and with
25 respect to the agencies directly affected, and this finding does not
26 affect the operation of the remainder of this act in its application to
27 the agencies concerned. Rules adopted under this act must meet federal
28 requirements that are a necessary condition to the receipt of federal
29 funds by the state.

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