

---

HOUSE BILL 1391

---

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Shea, Overstreet, and Taylor

Read first time 01/24/13. Referred to Committee on Judiciary.

1 AN ACT Relating to citizenship and immigration status requirements  
2 for enrollment in health care and human service programs; adding a new  
3 section to chapter 70.47 RCW; adding a new section to chapter 74.04  
4 RCW; adding a new section to chapter 74.09 RCW; adding a new section to  
5 chapter 74.12 RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that there are  
8 thousands of individuals enrolled in taxpayer-funded health care and  
9 human service programs who are not residents of the state of  
10 Washington, citizens of the United States, or qualified aliens as  
11 defined by federal law. Several state-only funded health care and  
12 human service programs have been created for individuals who do not  
13 meet federal citizenship or qualified alien requirements for similar  
14 programs that receive federal funding. Furthermore, taxpayer dollars  
15 are being used to track down and purchase citizenship or immigration  
16 documents, which should be the responsibility of the individual  
17 requesting services. It is therefore the intent of the legislature to  
18 limit enrollment in taxpayer-funded health care and human service

1 programs to individuals who are citizens of the United States or meet  
2 the definition of a qualified alien.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.47 RCW  
4 to read as follows:

5 (1) No person is eligible for benefits under this chapter unless he  
6 or she is a Washington resident at the time of application, maintains  
7 Washington residency continuously while receiving benefits, and is  
8 either:

9 (a) A citizen of the United States by birth or naturalization; or

10 (b) A qualified alien who either:

11 (i) Entered the United States on or before August 21, 1996;

12 (ii) Entered the United States after August 21, 1996, and has  
13 maintained his or her status as a qualified alien for a period of at  
14 least five years beginning on his or her date of entry, except for a  
15 Cuban or Haitian entrant as defined in section 501(e)(2) of the refugee  
16 education assistance act of 1980 (P.L. 96-422);

17 (iii) Entered the United States as a member of one of the exception  
18 groups under P.L. 104-193, section 412, in which case the person must  
19 be determined eligible in accordance with P.L. 104-193; or

20 (iv) Meets the definition of a "qualified alien" as provided by the  
21 attorney general of the United States under the authority of P.L.  
22 104-208, section 501.

23 (2)(a) The department of social and health services shall accept  
24 the following documents as acceptable proof of eligibility under this  
25 subsection:

26 (i) A United States passport or passport card;

27 (ii) An enhanced driver's license or state identification card;

28 (iii) A certificate of naturalization;

29 (iv) A certificate of citizenship;

30 (v) A tribal membership card with a photograph;

31 (vi) An official state or county issued birth certificate;

32 (vii) A certification of birth issued by the federal department of  
33 state;

34 (viii) A department of health printout for Washington state birth;

35 (ix) A United States citizen identification card; or

36 (x) A final adoption decree in the United States.

1 (b) No state resources shall be used for investigating the  
2 eligibility of an applicant who has not submitted satisfactory  
3 documentation. No state resources shall be used to purchase  
4 satisfactory documentation for an applicant. The department may  
5 provide applicants with a list of community resources that help  
6 applicants locate and obtain satisfactory documentation.

7 (3) For the purposes of this section, "qualified alien" has the  
8 same meaning as provided in the federal personal responsibility and  
9 work opportunity reconciliation act of 1996 (P.L. 104-193).

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

12 (1) For purposes of the food stamp program established in RCW  
13 74.04.500 through 74.04.535, no person is eligible for benefits under  
14 the program unless he or she is a Washington resident at the time of  
15 application, maintains Washington residency continuously while  
16 receiving benefits, and is either:

17 (a) A citizen of the United States by birth or naturalization; or

18 (b) A qualified alien who either:

19 (i) Entered the United States on or before August 21, 1996;

20 (ii) Entered the United States after August 21, 1996, and has  
21 maintained his or her status as a qualified alien for a period of at  
22 least five years beginning on his or her date of entry, except for a  
23 Cuban or Haitian entrant as defined in section 501(e)(2) of the refugee  
24 education assistance act of 1980 (P.L. 96-422);

25 (iii) Entered the United States as a member of one of the exception  
26 groups under P.L. 104-193, section 412, in which case the person must  
27 be determined eligible in accordance with P.L. 104-193; or

28 (iv) Meets the definition of a "qualified alien" as provided by the  
29 attorney general of the United States under the authority of P.L.  
30 104-208, section 501.

31 (2)(a) The department shall accept the following documents as  
32 acceptable proof of eligibility under this subsection:

33 (i) A United States passport or passport card;

34 (ii) An enhanced driver's license or state identification card;

35 (iii) A certificate of naturalization;

36 (iv) A certificate of citizenship;

37 (v) A tribal membership card with a photograph;

- 1 (vi) An official state or county issued birth certificate;
- 2 (vii) A certification of birth issued by the federal department of
- 3 state;
- 4 (viii) A department of health printout for Washington state birth;
- 5 (ix) A United States citizen identification card; or
- 6 (x) A final adoption decree in the United States.

7 (b) No state resources shall be used for investigating the  
8 eligibility of an applicant who has not submitted satisfactory  
9 documentation. No state resources shall be used to purchase  
10 satisfactory documentation for an applicant. The department may  
11 provide applicants with a list of community resources that help  
12 applicants locate and obtain satisfactory documentation.

13 (3) For the purposes of this section, "qualified alien" has the  
14 same meaning as provided in the federal personal responsibility and  
15 work opportunity reconciliation act of 1996 (P.L. 104-193).

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.09 RCW  
17 to read as follows:

18 (1) No person is eligible for benefits under this chapter unless he  
19 or she is a Washington resident at the time of application, maintains  
20 Washington residency continuously while receiving benefits, and is  
21 either:

- 22 (a) A citizen of the United States by birth or naturalization; or
- 23 (b) A qualified alien who either:

24 (i) Entered the United States on or before August 21, 1996;

25 (ii) Entered the United States after August 21, 1996, and has  
26 maintained his or her status as a qualified alien for a period of at  
27 least five years beginning on his or her date of entry, except for a  
28 Cuban or Haitian entrant as defined in section 501(e)(2) of the refugee  
29 education assistance act of 1980 (P.L. 96-422);

30 (iii) Entered the United States as a member of one of the exception  
31 groups under P.L. 104-193, section 412, in which case the person must  
32 be determined eligible in accordance with P.L. 104-193; or

33 (iv) Meets the definition of a "qualified alien" as provided by the  
34 attorney general of the United States under the authority of P.L.  
35 104-208, section 501.

36 (2)(a) The department shall accept the following documents as  
37 acceptable proof of eligibility under this subsection:

- 1 (i) A United States passport or passport card;
- 2 (ii) An enhanced driver's license or state identification card;
- 3 (iii) A certificate of naturalization;
- 4 (iv) A certificate of citizenship;
- 5 (v) A tribal membership card with a photograph;
- 6 (vi) An official state or county issued birth certificate;
- 7 (vii) A certification of birth issued by the federal department of
- 8 state;
- 9 (viii) A department of health printout for Washington state birth;
- 10 (ix) A United States citizen identification card; or
- 11 (x) A final adoption decree in the United States.

12 (b) No state resources shall be used for investigating the  
13 eligibility of an applicant who has not submitted satisfactory  
14 documentation. No state resources shall be used to purchase  
15 satisfactory documentation for an applicant. The department may  
16 provide applicants with a list of community resources that help  
17 applicants locate and obtain satisfactory documentation.

18 (3) For the purposes of this section, "qualified alien" has the  
19 same meaning as provided in the federal personal responsibility and  
20 work opportunity reconciliation act of 1996 (P.L. 104-193).

21 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.12 RCW  
22 to read as follows:

23 (1) No person is eligible for benefits under this chapter unless he  
24 or she is a Washington resident at the time of application, maintains  
25 Washington residency continuously while receiving benefits, and is  
26 either:

27 (a) A citizen of the United States by birth or naturalization; or

28 (b) A qualified alien who either:

29 (i) Entered the United States on or before August 21, 1996;

30 (ii) Entered the United States after August 21, 1996, and has  
31 maintained his or her status as a qualified alien for a period of at  
32 least five years beginning on his or her date of entry, except for a  
33 Cuban or Haitian entrant as defined in section 501(e)(2) of the refugee  
34 education assistance act of 1980 (P.L. 96-422);

35 (iii) Entered the United States as a member of one of the exception  
36 groups under P.L. 104-193, section 412, in which case the person must  
37 be determined eligible in accordance with P.L. 104-193; or

1 (iv) Meets the definition of a "qualified alien" as provided by the  
2 attorney general of the United States under the authority of P.L.  
3 104-208, section 501.

4 (2)(a) The department shall accept the following documents as  
5 acceptable proof of eligibility under this subsection:

6 (i) A United States passport or passport card;

7 (ii) An enhanced driver's license or state identification card;

8 (iii) A certificate of naturalization;

9 (iv) A certificate of citizenship;

10 (v) A tribal membership card with a photograph;

11 (vi) An official state or county issued birth certificate;

12 (vii) A certification of birth issued by the federal department of  
13 state;

14 (viii) A department of health printout for Washington state birth;

15 (ix) A United States citizen identification card; or

16 (x) A final adoption decree in the United States.

17 (b) No state resources shall be used for investigating the  
18 eligibility of an applicant who has not submitted satisfactory  
19 documentation. No state resources shall be used to purchase  
20 satisfactory documentation for an applicant. The department may  
21 provide applicants with a list of community resources that help  
22 applicants locate and obtain satisfactory documentation.

23 (3) For the purposes of this section, "qualified alien" has the  
24 same meaning as provided in the federal personal responsibility and  
25 work opportunity reconciliation act of 1996 (P.L. 104-193).

--- END ---