
HOUSE BILL 2505

State of Washington 63rd Legislature 2014 Regular Session

By Representatives Klippert, Haler, Condotta, and Buys

Read first time 01/20/14. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to photo identification on electronic benefit cards
2 issued to recipients of public assistance; and amending RCW 74.08.580.

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

4 **Sec. 1.** RCW 74.08.580 and 2012 c 253 s 2 are each amended to read
5 as follows:

6 (1) An electronic benefit card issued to or on behalf of a person
7 receiving public assistance must contain a photo identification of the
8 person authorized to use the card. The department shall consider
9 utilizing the photographic databases of the department of licensing as
10 a cost-saving measure. The department shall work with the department
11 of licensing to access and cross-share facial recognition data and
12 resources for the purposes of identifying potential fraud. The
13 department shall report any case where there is reason to believe that
14 fraud has been committed to the attorney general, prosecutor's office,
15 or appropriate law enforcement entity.

16 (2) Any person receiving public assistance is prohibited from using
17 electronic benefit cards or cash obtained with electronic benefit
18 cards:

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

3 (b) For the purpose of parimutuel wagering authorized under chapter
4 67.16 RCW;

5 (c) To purchase lottery tickets or shares authorized under chapter
6 67.70 RCW;

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

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

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

13 (g) For the purpose of purchasing or participating in any
14 activities in any location listed in subsection (~~((2))~~) (3) of this
15 section.

16 (~~((2))~~) (3) On or before January 1, 2012, the businesses listed in
17 this subsection must disable the ability of ATM and point-of-sale
18 machines located on their business premises to accept the electronic
19 benefit card. The following businesses are required to comply with
20 this mandate:

21 (a) Taverns licensed under RCW 66.24.330;

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

23 (c) Nightclubs licensed under RCW 66.24.600;

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

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

26 (f) Gambling establishments licensed under chapter 9.46 RCW;

27 (g) Tattoo, body piercing, or body art shops regulated under
28 chapter 18.300 RCW;

29 (h) Adult entertainment venues with performances that contain
30 erotic material where minors under the age of eighteen are prohibited
31 under RCW 9.68A.150; and

32 (i) Any establishments where persons under the age of eighteen are
33 not permitted.

34 (~~((3))~~) (4) The department must notify the licensing authority of
35 any business listed in subsection (~~((2))~~) (3) of this section that such
36 business has continued to allow the use of the electronic benefit card
37 in violation of subsection (~~((2))~~) (3) of this section.

1 ~~((4))~~ (5) Only the recipient, an eligible member of the
2 household, or the recipient's authorized representative may use an
3 electronic benefit card or the benefit and such use shall only be for
4 the respective benefit program purposes. Unless a recipient's family
5 member is an eligible member of the household, the recipient's
6 authorized representative, an alternative cardholder, or has been
7 assigned as a protective payee, no family member may use the benefit
8 card. The recipient shall not sell, or attempt to sell, exchange, or
9 donate an electronic benefit card or any benefits to any other person
10 or entity.

11 ~~((5))~~ (6) The first violation of subsection ~~((1))~~ (2) of this
12 section by a recipient constitutes a class 4 civil infraction under RCW
13 7.80.120. Second and subsequent violations of subsection ~~((1))~~ (2)
14 of this section constitute a class 3 civil infraction under RCW
15 7.80.120.

16 (a) The department shall notify, in writing, all recipients of
17 electronic benefit cards that any violation of subsection ~~((1))~~ (2)
18 of this section could result in legal proceedings and forfeiture of all
19 cash public assistance.

20 (b) Whenever the department receives notice that a person has
21 violated subsection ~~((1))~~ (2) of this section, the department shall
22 notify the person in writing that the violation could result in legal
23 proceedings and forfeiture of all cash public assistance.

24 (c) The department shall assign a protective payee to the person
25 receiving public assistance who violates subsection ~~((1))~~ (2) of this
26 section two or more times.

27 ~~((6))~~ (7) In assigning a personal identification number to an
28 electronic benefit card, the department shall not routinely use any
29 sequence of numbers that appear on the card except in circumstances
30 resulting from in-state or national disasters. Personal identification
31 numbers assigned to electronic benefit cards issued to support the
32 distribution of benefits when there is a disaster may include a
33 sequence of numbers that appears on the card.

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