
ENGROSSED SUBSTITUTE SENATE BILL 5279

State of Washington

63rd Legislature

2013 Regular Session

By Senate Human Services & Corrections (originally sponsored by Senators Carrell, Baumgartner, Smith, Becker, Schoesler, Sheldon, Rivers, Delvin, Tom, Braun, Padden, Bailey, and Hill)

READ FIRST TIME 02/07/13.

1 AN ACT Relating to use of public assistance benefits; and amending
2 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) Any person receiving public assistance is prohibited from using
7 electronic benefit cards or cash obtained with electronic benefit
8 cards:

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

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

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

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

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

1 (f) To purchase any items regulated under Title 66 RCW; ~~((e))~~

2 (g) To purchase marijuana as defined under RCW 69.50.101 or any
3 paraphernalia associated with the use of marijuana; or

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

6 (2) On or before January 1, 2012, the businesses listed in this
7 subsection must disable the ability of ATM and point-of-sale machines
8 located on their business premises to accept the electronic benefit
9 card. The following businesses are required to comply with this
10 mandate:

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 ~~((Contract liquor stores defined under RCW 66.04.010;~~

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

16 ~~((f))~~ (e) Gambling establishments licensed under chapter 9.46
17 RCW;

18 ~~((g))~~ (f) Tattoo, body piercing, or body art shops regulated
19 under chapter 18.300 RCW;

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

23 ~~((i))~~ (h) Any establishments where persons under the age of
24 eighteen are not permitted.

25 (3) On or before January 1, 2014, any establishment holding a
26 spirits retail license under RCW 66.24.630 shall not accept an
27 electronic benefits card for the purchase of spirits. The department
28 must notify the licensing authority of any business listed in this
29 subsection or subsection (2) of this section that such business has
30 continued to allow the use of the electronic benefit card in violation
31 of this subsection or subsection (2) of this section.

32 (4) Only the recipient, an eligible member of the household, or the
33 recipient's authorized representative may use an electronic benefit
34 card or the benefit and such use shall only be for the respective
35 benefit program purposes. Unless a recipient's family member is an
36 eligible member of the household, the recipient's authorized
37 representative, an alternative cardholder, or has been assigned as a

1 protective payee, no family member may use the benefit card. The
2 recipient shall not sell, or attempt to sell, exchange, or donate an
3 electronic benefit card or any benefits to any other person or entity.

4 (5) The first violation of subsection (1) of this section by a
5 recipient constitutes a class 4 civil infraction under RCW 7.80.120.
6 Second and subsequent violations of subsection (1) of this section
7 constitute a class 3 civil infraction under RCW 7.80.120.

8 (a) The department shall notify, in writing, all recipients of
9 electronic benefit cards that any violation of subsection (1) of this
10 section could result in legal proceedings and forfeiture of all cash
11 public assistance.

12 (b) Whenever the department receives notice that a person has
13 violated subsection (1) of this section, the department shall notify
14 the person in writing that the violation could result in legal
15 proceedings and forfeiture of all cash public assistance.

16 (c) The department shall assign a protective payee to the person
17 receiving public assistance who violates subsection (1) of this section
18 two or more times.

19 (6) In assigning a personal identification number to an electronic
20 benefit card, the department shall not routinely use any sequence of
21 numbers that appear on the card except in circumstances resulting from
22 in-state or national disasters. Personal identification numbers
23 assigned to electronic benefit cards issued to support the distribution
24 of benefits when there is a disaster may include a sequence of numbers
25 that appears on the card.

--- END ---