
HOUSE BILL 1908

State of Washington 64th Legislature 2015 Regular Session

By Representatives Klippert, Caldier, Hayes, Griffey, Young, and Buys

Read first time 02/02/15. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to photo identification on electronic benefit
2 cards issued to recipients of public assistance; and amending RCW
3 74.08.580.

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

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

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

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

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

1 (b) For the purpose of parimutuel wagering authorized under
2 chapter 67.16 RCW;

3 (c) To purchase lottery tickets or shares authorized under
4 chapter 67.70 RCW;

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

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

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

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

14 ~~((2))~~ (3) On or before January 1, 2012, the businesses listed
15 in this subsection must disable the ability of ATM and point-of-sale
16 machines located on their business premises to accept the electronic
17 benefit card. The following businesses are required to comply with
18 this mandate:

19 (a) Taverns licensed under RCW 66.24.330;

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

21 (c) Nightclubs licensed under RCW 66.24.600;

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

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

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

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

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

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

32 ~~((3))~~ (4) The department must notify the licensing authority of
33 any business listed in subsection ~~((2))~~ (3) of this section that
34 such business has continued to allow the use of the electronic
35 benefit card in violation of subsection ~~((2))~~ (3) of this section.

36 ~~((4))~~ (5) Only the recipient, an eligible member of the
37 household, or the recipient's authorized representative may use an
38 electronic benefit card or the benefit and such use shall only be for
39 the respective benefit program purposes. Unless a recipient's family
40 member is an eligible member of the household, the recipient's

1 authorized representative, an alternative cardholder, or has been
2 assigned as a protective payee, no family member may use the benefit
3 card. The recipient shall not sell, or attempt to sell, exchange, or
4 donate an electronic benefit card or any benefits to any other person
5 or entity.

6 ~~((+5))~~ (6) The first violation of subsection ~~((+1))~~ (2) of this
7 section by a recipient constitutes a class 4 civil infraction under
8 RCW 7.80.120. Second and subsequent violations of subsection ~~((+1))~~
9 (2) of this section constitute a class 3 civil infraction under RCW
10 7.80.120.

11 (a) The department shall notify, in writing, all recipients of
12 electronic benefit cards that any violation of subsection ~~((+1))~~ (2)
13 of this section could result in legal proceedings and forfeiture of
14 all cash public assistance.

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

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

22 ~~((+6))~~ (7) In assigning a personal identification number to an
23 electronic benefit card, the department shall not routinely use any
24 sequence of numbers that appear on the card except in circumstances
25 resulting from in-state or national disasters. Personal
26 identification numbers assigned to electronic benefit cards issued to
27 support the distribution of benefits when there is a disaster may
28 include a sequence of numbers that appears on the card.

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