
SUBSTITUTE HOUSE BILL 2441

State of Washington

66th Legislature

2020 Regular Session

By House Appropriations (originally sponsored by Representatives Entenman, Fitzgibbon, Senn, Gregerson, Kilduff, Stonier, Davis, Macri, Ortiz-Self, Riccelli, Pettigrew, Pollet, Goodman, Wylie, and Doglio)

READ FIRST TIME 02/11/20.

1 AN ACT Relating to improving access to temporary assistance for
2 needy families; amending RCW 74.08A.010; reenacting and amending RCW
3 74.08A.260; adding a new section to chapter 74.08A RCW; creating a
4 new section; providing an effective date; and providing an expiration
5 date.

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

7 **Sec. 1.** RCW 74.08A.010 and 2019 c 343 s 2 are each amended to
8 read as follows:

9 (1) A family that includes an adult who has received temporary
10 assistance for needy families for sixty months after July 27, 1997,
11 shall be ineligible for further temporary assistance for needy
12 families assistance.

13 (2) For the purposes of applying the rules of this section, the
14 department shall count any month in which an adult family member
15 received a temporary assistance for needy families cash assistance
16 grant unless the assistance was provided when the adult family member
17 was a minor child and not the head of the household or married to the
18 head of the household.

19 (3) The department shall adopt regulations to apply the sixty-
20 month time limit to households in which a parent is in the home and

1 ineligible for temporary assistance for needy families. Any
2 regulations shall be consistent with federal funding requirements.

3 (4) The department shall refer recipients who require specialized
4 assistance to appropriate department programs, crime victims'
5 programs through the department of commerce, or the crime victims'
6 compensation program of the department of labor and industries.

7 (5) (a) The department shall add to adopted rules related to
8 temporary assistance for needy families time limit extensions, the
9 following criteria by which the department shall exempt a recipient
10 and the recipient's family from the application of subsection (1) of
11 this section:

12 (i) By reason of hardship, including (~~if the recipient is a~~
13 ~~homeless person as described in RCW 43.185C.010~~) when:

14 (A) The recipient's family:

15 (I) Includes a child or youth who is without a fixed, regular,
16 and adequate nighttime residence as described in the federal
17 McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119,
18 subchapter VI, part B) as it existed on January 1, 2020; or

19 (II) Is at substantial risk of losing housing or housing support
20 services as described in RCW 43.185C.220; or

21 (B) The recipient:

22 (I) Is participating satisfactorily in the program;

23 (II) Is temporarily prevented from working or looking for a job;

24 (III) Is in need of mental health or substance use disorder
25 treatment; or

26 (IV) Demonstrates another basis by which the time limit pursuant
27 to subsection (1) of this section would cause undue hardship to the
28 recipient or the recipient's family; or

29 (ii) If the family includes an individual who meets the family
30 violence options of section 402(A)(7) of Title IVA of the federal
31 social security act as amended by P.L. 104-193.

32 (b) Policies related to circumstances under which a recipient
33 will be exempted from the application of subsection (1) or (3) of
34 this section shall treat adults receiving benefits on their own
35 behalf, and parents receiving benefits on behalf of their child
36 similarly, unless required otherwise under federal law.

37 (6) The department shall not exempt a recipient and his or her
38 family from the application of subsection (1) or (3) of this section
39 until after the recipient has received fifty-two months of assistance
40 under this chapter.

1 (7) The department shall provide transitional food assistance for
2 a period of five months to a household that ceases to receive
3 temporary assistance for needy families assistance and is not in
4 sanction status. If necessary, the department shall extend the
5 household's basic food certification until the end of the transition
6 period.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.08A
8 RCW to read as follows:

9 (1) Annually by December 31st, the department must report to the
10 governor and the appropriate policy and fiscal committees of the
11 legislature disaggregated data identifying the race of individuals
12 whose temporary assistance for needy families benefits were reduced
13 or terminated during the preceding year due to:

14 (a) Sanction as described in RCW 74.08A.260; or

15 (b) Reaching the sixty-month time limit under RCW 74.08A.010.

16 (2) If the disaggregated data for terminated or sanctioned
17 individuals shows a disproportionate representation of any racial
18 group that has experienced historic disparities or discrimination,
19 the department must describe steps it is taking to address and remedy
20 the racial disproportionality.

21 **Sec. 3.** RCW 74.08A.260 and 2018 c 126 s 5 and 2018 c 58 s 8 are
22 each reenacted and amended to read as follows:

23 (1) Each recipient shall be assessed after determination of
24 program eligibility and before referral to job search. Assessments
25 shall be based upon factors that are critical to obtaining
26 employment, including but not limited to education, availability of
27 child care, history of family violence, history of substance abuse,
28 and other factors that affect the ability to obtain employment.
29 Assessments may be performed by the department or by a contracted
30 entity. The assessment shall be based on a uniform, consistent,
31 transferable format that will be accepted by all agencies and
32 organizations serving the recipient.

33 (2) Based on the assessment, an individual responsibility plan
34 shall be prepared that: (a) Sets forth an employment goal and a plan
35 for maximizing the recipient's success at meeting the employment
36 goal; (b) considers WorkFirst educational and training programs from
37 which the recipient could benefit; (c) contains the obligation of the
38 recipient to participate in the program by complying with the plan;

1 (d) moves the recipient into full-time WorkFirst activities as
2 quickly as possible; and (e) describes the services available to the
3 recipient either during or after WorkFirst to enable the recipient to
4 obtain and keep employment and to advance in the workplace and
5 increase the recipient's wage earning potential over time.

6 (3) Recipients who are not engaged in work and work activities,
7 and do not qualify for a good cause exemption under RCW 74.08A.270,
8 shall engage in self-directed service as provided in RCW 74.08A.330.

9 (4) (a) If a recipient refuses to engage in work and work
10 activities required by the department, the department must review the
11 recipient's case to ensure the department has taken into
12 consideration any barriers to work activities and made any necessary
13 revisions to the recipient's individual responsibility plan. As part
14 of the review, the department must consider: (i) Whether the
15 recipient was provided with adequate notice and opportunity to remedy
16 his or her noncompliance with program requirements; and (ii) if the
17 department considered good cause reasons for failure to participate
18 pursuant to RCW 74.08A.270 before imposing sanctions.

19 (b) After two months of continuous noncompliance, the family's
20 grant shall be reduced by the recipient's share((, and may, if the
21 department determines it appropriate, be terminated)) or by forty
22 percent, whichever is greater.

23 (5) The department (~~may~~) shall waive the penalties required
24 under subsection (4) of this section, subject to a finding that the
25 recipient refused to engage in work for good cause provided in RCW
26 74.08A.270.

27 (6) In consultation with the recipient, the department or
28 contractor shall place the recipient into a work activity that is
29 available in the local area where the recipient resides.

30 (7) Assessments conducted under this section shall include a
31 consideration of the potential benefit to the recipient of engaging
32 in financial literacy activities. The department shall consider the
33 options for financial literacy activities available in the community,
34 including information and resources available through the financial
35 education public-private partnership created under RCW 28A.300.450.
36 The department may authorize up to ten hours of financial literacy
37 activities as a core activity or an optional activity under
38 WorkFirst.

39 (8) Subsections (2) through (6) of this section are suspended for
40 a recipient who is a parent or other relative personally providing

1 care for a child under the age of two years. This suspension applies
2 to both one and two parent families. However, both parents in a two-
3 parent family cannot use the suspension during the same month.
4 Nothing in this subsection shall prevent a recipient from
5 participating in the WorkFirst program on a voluntary basis.

6 NEW SECTION. **Sec. 4.** (1) The department of social and health
7 services shall conduct outreach to families terminated due to time
8 limits on or after January 1, 2015, who appear to otherwise meet
9 eligibility requirements for temporary assistance for needy families
10 pursuant to section 1 of this act. The department must use all known
11 contact information for families, including contact information
12 available through client files related to other department-
13 administered programs such as basic food and child support
14 enforcement, to notify families of policy changes under section 1 of
15 this act, and encourage families to apply for assistance.

16 (2) This section expires December 31, 2023.

17 NEW SECTION. **Sec. 5.** Sections 1 and 3 of this act take effect
18 July 1, 2021.

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