
HOUSE BILL 2441

State of Washington

66th Legislature

2020 Regular Session

By Representatives Entenman, Fitzgibbon, Senn, Gregerson, Kilduff, Stonier, Davis, Macri, Ortiz-Self, Riccelli, Pettigrew, Pollet, Goodman, Wylie, and Doglio

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

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; and creating
4 a new section.

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

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

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

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

18 (3) The department shall adopt regulations to apply the sixty-
19 month time limit to households in which a parent is in the home and
20 ineligible for temporary assistance for needy families. Any
21 regulations shall be consistent with federal funding requirements.

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

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

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

12 (A) The recipient's family:

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

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

19 (B) The recipient:

20 (I) Is participating satisfactorily in the program;

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

22 (III) Is in need of mental health or substance use disorder
23 treatment; or

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

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

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

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

39 (7) The department shall provide transitional food assistance for
40 a period of five months to a household that ceases to receive

1 temporary assistance for needy families assistance and is not in
2 sanction status. If necessary, the department shall extend the
3 household's basic food certification until the end of the transition
4 period.

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

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

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

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

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

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

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

31 (2) Based on the assessment, an individual responsibility plan
32 shall be prepared that: (a) Sets forth an employment goal and a plan
33 for maximizing the recipient's success at meeting the employment
34 goal; (b) considers WorkFirst educational and training programs from
35 which the recipient could benefit; (c) contains the obligation of the
36 recipient to participate in the program by complying with the plan;
37 (d) moves the recipient into full-time WorkFirst activities as
38 quickly as possible; and (e) describes the services available to the

1 recipient either during or after WorkFirst to enable the recipient to
2 obtain and keep employment and to advance in the workplace and
3 increase the recipient's wage earning potential over time.

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

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

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

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

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

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

37 (8) Subsections (2) through (6) of this section are suspended for
38 a recipient who is a parent or other relative personally providing
39 care for a child under the age of two years. This suspension applies
40 to both one and two parent families. However, both parents in a two-

1 parent family cannot use the suspension during the same month.
2 Nothing in this subsection shall prevent a recipient from
3 participating in the WorkFirst program on a voluntary basis.

4 NEW SECTION. **Sec. 4.** Sections 1 and 3 of this act shall apply
5 retroactively to families terminated or sanctioned under the
6 temporary assistance for needy families program on or after January
7 1, 2015.

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