
SENATE BILL 5214

State of Washington

67th Legislature

2021 Regular Session

By Senators Nguyen, Dhingra, Darneille, Das, Frockt, Hasegawa, Hunt, Kuderer, Lias, Lovelett, Nobles, Robinson, Stanford, and Wilson, C.

Read first time 01/14/21. Referred to Committee on Human Services, Reentry & Rehabilitation.

1 AN ACT Relating to economic assistance programs; amending RCW
2 74.08A.010, 74.08A.260, and 74.08A.230; adding a new section to
3 chapter 74.08A RCW; providing an effective date; and declaring an
4 emergency.

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

6 **Sec. 1.** RCW 74.08A.010 and 2020 c 320 s 1 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 when the recipient's family
11 includes a child or youth who is without a fixed, regular, and
12 adequate nighttime residence as described in the federal McKinney-
13 Vento homeless assistance act (Title 42 U.S.C., chapter 119,
14 subchapter VI, part B) as it existed on January 1, 2020; ((~~or~~))

15 (ii) The recipient is participating satisfactorily in the
16 program;

17 (iii) The recipient is temporarily prevented from working or
18 looking for a job;

19 (iv) The recipient is in need of mental health or substance use
20 disorder treatment; or

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

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

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

33 (7) The department shall provide transitional food assistance for
34 a period of five months to a household that ceases to receive
35 temporary assistance for needy families assistance and is not in
36 sanction status. If necessary, the department shall extend the
37 household's basic food certification until the end of the transition
38 period.

1 **Sec. 2.** RCW 74.08A.260 and 2020 c 338 s 1 are each amended to
2 read as follows:

3 (1) Each recipient shall be assessed after determination of
4 program eligibility and before referral to job search. Assessments
5 shall be based upon factors that are critical to obtaining
6 employment, including but not limited to education, availability of
7 child care, history of family violence, history of substance abuse,
8 and other factors that affect the ability to obtain employment.
9 Assessments may be performed by the department or by a contracted
10 entity. The assessment shall be based on a uniform, consistent,
11 transferable format that will be accepted by all agencies and
12 organizations serving the recipient.

13 (2) Based on the assessment, an individual responsibility plan
14 shall be prepared that: (a) Sets forth an employment goal and a plan
15 for maximizing the recipient's success at meeting the employment
16 goal; (b) considers WorkFirst educational and training programs from
17 which the recipient could benefit; (c) contains the obligation of the
18 recipient to participate in the program by complying with the plan;
19 (d) moves the recipient into full-time WorkFirst activities as
20 quickly as possible; and (e) describes the services available to the
21 recipient either during or after WorkFirst to enable the recipient to
22 obtain and keep employment and to advance in the workplace and
23 increase the recipient's wage earning potential over time.

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

27 (4) If a recipient refuses to engage in work and work activities
28 required by the department, after two months of continuous
29 noncompliance, the family's grant shall be reduced by the recipient's
30 share or by forty percent, whichever is greater(~~(, and must be~~
31 ~~terminated after twelve months of continuous noncompliance)~~).

32 (5) The department shall waive the penalties required under
33 subsection (4) of this section, subject to a finding that the
34 recipient refused to engage in work for good cause provided in RCW
35 74.08A.270.

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

39 (7) Assessments conducted under this section shall include a
40 consideration of the potential benefit to the recipient of engaging

1 in financial literacy activities. The department shall consider the
2 options for financial literacy activities available in the community,
3 including information and resources available through the financial
4 education public-private partnership created under RCW 28A.300.450.
5 The department may authorize up to ten hours of financial literacy
6 activities as a core activity or an optional activity under
7 WorkFirst.

8 (8) Subsections (2) through (6) of this section are suspended for
9 a recipient who is a parent or other relative personally providing
10 care for a child under the age of two years. This suspension applies
11 to both one and two parent families. However, both parents in a two-
12 parent family cannot use the suspension during the same month.
13 Nothing in this subsection shall prevent a recipient from
14 participating in the WorkFirst program on a voluntary basis.

15 **Sec. 3.** RCW 74.08A.230 and 1997 c 58 s 308 are each amended to
16 read as follows:

17 (1) In addition to their monthly benefit payment, a family may
18 earn and keep (~~one-half~~) all of its earnings during every month it
19 is eligible to receive assistance under this section.

20 (2) In no event may a family be eligible for temporary assistance
21 for needy families if its monthly gross earned income exceeds the
22 maximum earned income level as set by the department. In calculating
23 a household's gross earnings, the department shall disregard the
24 earnings of a minor child who is:

25 (a) A full-time student; or

26 (b) A part-time student carrying at least half the normal school
27 load and working fewer than thirty-five hours per week.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.08A
29 RCW to read as follows:

30 The department may not require applicants for temporary
31 assistance for needy families to attend a WorkFirst orientation in
32 person as a condition of eligibility. However, the department may
33 conduct a WorkFirst orientation by phone. The department may
34 incorporate orientation information into the recipient assessment
35 conducted pursuant to RCW 74.08A.260.

36 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
37 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes
2 effect July 1, 2021.

--- **END** ---