

**2SSB 5591** - H COMM AMD

By Committee on Early Learning & Human Services

**NOT CONSIDERED 03/07/2024**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that many youth  
4 exiting foster care have not been financially prepared for a  
5 successful transition to independence. The legislature finds that  
6 financial awareness can play a key role in ensuring safe and stable  
7 housing and long-term economic well-being. Therefore, the legislature  
8 resolves to create a program to aid young people in foster care with  
9 establishing private self-controlled accounts to promote successful  
10 transition from foster care into independence.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.13  
12 RCW to read as follows:

13 (1) The department shall develop a financial savings program for  
14 eligible youth.

15 (a) The department shall provide an eligible youth with the  
16 opportunity to open a private self-controlled account with a  
17 financial institution. If interested, the eligible youth may open the  
18 account with assistance from any supportive adult, including but not  
19 limited to: Independent living service providers, caregivers,  
20 caseworkers, kinship and other family members, attorneys, and  
21 supportive adults in the community which may include mentors,  
22 teachers, and coaches. It is the department's responsibility to  
23 ensure that every eligible youth receives information about this  
24 program beginning at age 14, and to inquire as to whether a youth has  
25 established a private self-controlled account at the youth's shared  
26 planning meeting that is used to develop a transition plan, as  
27 provided for in this chapter. If it is determined that an eligible  
28 youth has not established a private self-controlled account at the  
29 time of the shared planning meeting, information on opening an  
30 account with a financial institution must be included in a youth's  
31 transition plan.

1 (b) As appropriate, the department shall engage various partners  
2 to work with young people to establish their accounts, including but  
3 not limited to independent living providers, established community-  
4 based organizations, foster parents and caregivers, foster care in-  
5 school support staff, and other direct service department staff.

6 (c) The department shall deposit a minimum of \$25 per month into  
7 an eligible youth's account as established under this program. The  
8 department shall make a first deposit within one month of the youth's  
9 opening of an account. Eligible youth may opt out of receiving  
10 minimum deposits under this section at any time. It is the  
11 department's responsibility to inform the eligible youth about the  
12 impact that deposits could have on public benefit eligibility.

13 (d) The department shall create an online platform to allow youth  
14 to establish their financial accounts.

15 (e) The program is to be operational by January 1, 2025, and  
16 fully implemented in all regions by July 1, 2028. The program shall  
17 be established and made fully operational statewide in phases over  
18 the state fiscal years as follows:

19 (i) Over the 2024-2025 fiscal year, Spokane and Pierce counties;

20 (ii) Over the 2025-2026 fiscal year, the remaining counties in  
21 the department's regions 1 and 5;

22 (iii) Over the 2026-2027 fiscal year, regions 2 and 6; and

23 (iv) Over the 2027-2028 fiscal year, regions 3 and 4.

24 (f) The department shall conduct an annual electronic survey of  
25 15 percent of eligible youth as a method of program evaluation.

26 (g) An eligible youth is a dependent youth ages 14 and up,  
27 including youth in extended foster care, and remains eligible to open  
28 an account with the financial support of the department until the  
29 dependency proceeding is dismissed.

30 (2) (a) The department shall convene a temporary advisory  
31 committee to advise on the development of the implementation plan of  
32 this program, collections and reports of data, expansion of  
33 partnerships with financial institutions and service providers, and  
34 review of communications and marketing materials. The department  
35 shall consult the temporary advisory committee regarding the  
36 financial savings program to ensure statewide access to a high  
37 quality, developmentally, and culturally appropriate program for  
38 eligible youth. The temporary advisory committee shall develop a  
39 survey for eligible youth to help determine the effectiveness of the  
40 program, including whether the eligible youth has established a self-

1 controlled account. The department is encouraged to utilize existing  
2 resources readily available including those provided by the  
3 department of financial institutions, among other agencies and  
4 programs. Members of the temporary advisory committee shall include,  
5 but are not limited to: Current or former foster youth, current or  
6 former caregivers, including kinship caregivers, the financial  
7 education public-private partnership, financial institutions, and  
8 those with expertise in providing financial education or mentorship  
9 to youth ages 12 and up.

10 (b) By November 1, 2025, and in compliance with RCW 43.01.036,  
11 the department shall submit a report on the work of the advisory  
12 committee as well as the status of the program implementation to the  
13 appropriate committees of the legislature and the governor. By  
14 December 1, 2025, and annually thereafter, and in compliance with RCW  
15 43.01.036, the department shall submit a report summarizing the  
16 results of the survey as provided for in subsection (1) of this  
17 section to the appropriate committees of the legislature.

18 **Sec. 3.** RCW 74.04.005 and 2023 c 418 s 1 are each amended to  
19 read as follows:

20 For the purposes of this title, unless the context indicates  
21 otherwise, the following definitions shall apply:

22 (1) "Aged, blind, or disabled assistance program" means the  
23 program established under RCW 74.62.030.

24 (2) "Applicant" means any person who has made a request, or on  
25 behalf of whom a request has been made, to any county or local office  
26 for assistance.

27 (3) "Authority" means the health care authority.

28 (4) "County or local office" means the administrative office for  
29 one or more counties or designated service areas.

30 (5) "Department" means the department of social and health  
31 services.

32 (6) "Director" means the director of the health care authority.

33 (7) "Essential needs and housing support program" means the  
34 program established in RCW 43.185C.220.

35 (8) "Federal aid assistance" means the specific categories of  
36 assistance for which provision is made in any federal law existing or  
37 hereafter passed by which payments are made from the federal  
38 government to the state in aid or in respect to payment by the state  
39 for public assistance rendered to any category of needy persons for

1 which provision for federal funds or aid may from time to time be  
2 made, or a federally administered needs-based program.

3 (9) "Income" means:

4 (a) All appreciable gains in real or personal property (cash or  
5 kind) or other assets, which are received by or become available for  
6 use and enjoyment by an applicant or recipient during the month of  
7 application or after applying for or receiving public assistance. The  
8 department may by rule and regulation exempt income received by an  
9 applicant for or recipient of public assistance which can be used by  
10 him or her to decrease his or her need for public assistance or to  
11 aid in rehabilitating him or her or his or her dependents, and must  
12 exempt funds deposited by the department of children, youth, and  
13 families into a dependent youth's independently controlled financial  
14 account opened under the program established in section 2 of this  
15 act, but such (~~exemption~~) exemptions shall not, unless otherwise  
16 provided in this title, exceed the exemptions of resources granted  
17 under this chapter to an applicant for public assistance. In  
18 addition, for cash assistance the department may disregard income  
19 pursuant to RCW 74.08A.230 and 74.12.350.

20 (b) If, under applicable federal requirements, the state has the  
21 option of considering property in the form of lump sum compensatory  
22 awards or related settlements received by an applicant or recipient  
23 as income or as a resource, the department shall consider such  
24 property to be a resource.

25 (10) "Need" means the difference between the applicant's or  
26 recipient's standards of assistance for himself or herself and the  
27 dependent members of his or her family, as measured by the standards  
28 of the department, and value of all nonexempt resources and nonexempt  
29 income received by or available to the applicant or recipient and the  
30 dependent members of his or her family.

31 (11) "Public assistance" or "assistance" means public aid to  
32 persons in need thereof for any cause, including services, medical  
33 care, assistance grants, disbursing orders, work relief, benefits  
34 under RCW 74.62.030 and 43.185C.220, and federal aid assistance.

35 (12) "Recipient" means any person receiving assistance and in  
36 addition those dependents whose needs are included in the recipient's  
37 assistance.

38 (13) "Resource" means any asset, tangible or intangible, owned by  
39 or available to the applicant at the time of application, which can  
40 be applied toward meeting the applicant's need, either directly or by

1 conversion into money or its equivalent. The department may by rule  
2 designate resources that an applicant may retain and not be  
3 ineligible for public assistance because of such resources. Exempt  
4 resources shall include, but are not limited to:

5 (a) A home that an applicant, recipient, or their dependents is  
6 living in, including the surrounding property;

7 (b) Household furnishings and personal effects;

8 (c) One motor vehicle, other than a motor home, that is used and  
9 useful;

10 (d) A motor vehicle necessary to transport a household member  
11 with a physical disability. This exclusion is limited to one vehicle  
12 per person with a physical disability;

13 (e) Retirement funds, pension plans, and retirement accounts;

14 (f) All other resources, including any excess of values exempted,  
15 not to exceed \$12,000 or other limit as set by the department, to be  
16 consistent with limitations on resources and exemptions necessary for  
17 federal aid assistance;

18 (g) Applicants for or recipients of benefits under RCW 74.62.030  
19 and 43.185C.220 shall have their eligibility based on resource  
20 limitations consistent with the temporary assistance for needy  
21 families program rules adopted by the department; and

22 (h) If an applicant for or recipient of public assistance  
23 possesses property and belongings in excess of the ceiling value,  
24 such value shall be used in determining the need of the applicant or  
25 recipient, except that: (i) The department may exempt resources or  
26 income when the income and resources are determined necessary to the  
27 applicant's or recipient's restoration to independence, to decrease  
28 the need for public assistance, or to aid in rehabilitating the  
29 applicant or recipient or a dependent of the applicant or recipient;  
30 and (ii) the department may provide grant assistance for a period not  
31 to exceed nine months from the date the agreement is signed pursuant  
32 to this section to persons who are otherwise ineligible because of  
33 excess real property owned by such persons when they are making a  
34 good faith effort to dispose of that property if:

35 (A) The applicant or recipient signs an agreement to repay the  
36 lesser of the amount of aid received or the net proceeds of such  
37 sale;

38 (B) If the owner of the excess property ceases to make good faith  
39 efforts to sell the property, the entire amount of assistance may

1 become an overpayment and a debt due the state and may be recovered  
2 pursuant to RCW 43.20B.630;

3 (C) Applicants and recipients are advised of their right to a  
4 fair hearing and afforded the opportunity to challenge a decision  
5 that good faith efforts to sell have ceased, prior to assessment of  
6 an overpayment under this section; and

7 (D) At the time assistance is authorized, the department files a  
8 lien without a sum certain on the specific property.

9 (14) "Secretary" means the secretary of social and health  
10 services.

11 (15) "Standards of assistance" means the level of income required  
12 by an applicant or recipient to maintain a level of living specified  
13 by the department.

14 (16)(a) "Victim of human trafficking" means a noncitizen and any  
15 qualifying family members who have:

16 (i) Filed or are preparing to file an application for T  
17 nonimmigrant status with the appropriate federal agency pursuant to 8  
18 U.S.C. Sec. 1101(a)(15)(T), as it existed on January 1, 2020;

19 (ii) Filed or are preparing to file an application with the  
20 appropriate federal agency for status pursuant to 8 U.S.C. Sec.  
21 1101(a)(15)(U), as it existed on January 1, 2020; or

22 (iii) Been harmed by either any violation of chapter 9A.40 or  
23 9.68A RCW, or both, or by substantially similar crimes under federal  
24 law or the laws of any other state, and who:

25 (A) Are otherwise taking steps to meet the conditions for federal  
26 benefits eligibility under 22 U.S.C. Sec. 7105, as it existed on  
27 January 1, 2020; or

28 (B) Have filed or are preparing to file an application with the  
29 appropriate federal agency for status under 8 U.S.C. Sec. 1158.

30 (b)(i) "Qualifying family member" means:

31 (A) A victim's spouse and children; and

32 (B) When the victim is under 21 years of age, a victim's parents  
33 and unmarried siblings under the age of 18.

34 (ii) "Qualifying family member" does not include a family member  
35 who has been charged with or convicted of attempt, conspiracy,  
36 solicitation, or commission of any crime referenced in this  
37 subsection or described under 8 U.S.C. Sec. 1101(a)(15)(T) or (U) as  
38 either existed on January 1, 2020, when the crime is against a spouse  
39 who is a victim of human trafficking or against the child of a victim  
40 of human trafficking.

1 (17) For purposes of determining eligibility for public  
2 assistance and participation levels in the cost of medical care, the  
3 department shall exempt restitution payments made to people of  
4 Japanese and Aleut ancestry pursuant to the Civil Liberties Act of  
5 1988 and the Aleutian and Pribilof Island Restitution Act passed by  
6 congress, P.L. 100-383, including all income and resources derived  
7 therefrom.

8 (18) In the construction of words and phrases used in this title,  
9 the singular number shall include the plural, the masculine gender  
10 shall include both the feminine and neuter genders, and the present  
11 tense shall include the past and future tenses, unless the context  
12 thereof shall clearly indicate to the contrary."

13 Correct the title.

EFFECT: Makes the following changes to the underlying bill:

Describes the program created in the bill as a financial savings program.

Replaces references to youth ages 12 and older with references to the population of youth eligible for the program as defined in the bill (which includes dependent youth ages 14 and older).

Exempts deposits made by the Department of Children, Youth, and Families into a dependent youth's independently controlled financial account from counting as income for purposes of assistance program eligibility and benefit amounts.

Makes minor changes to wording and modifies intent language.

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