
HOUSE BILL 1447

State of Washington

68th Legislature

2023 Regular Session

By Representatives Peterson, Gregerson, Berry, Taylor, Simmons, Ortiz-Self, Ryu, Reed, Kloba, Doglio, Ormsby, Thai, Fosse, Pollet, Macri, Alvarado, and Leavitt

Read first time 01/19/23. Referred to Committee on Human Services, Youth, & Early Learning.

1 AN ACT Relating to strengthening the ability of assistance
2 programs to meet foundational needs of children, adults, and
3 families; amending RCW 74.04.005, 74.04.770, 74.08A.010, 74.08A.015,
4 74.08A.230, 74.08A.250, and 74.08A.270; reenacting and amending RCW
5 74.08A.010; providing effective dates; and providing an expiration
6 date.

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

8 **Sec. 1.** RCW 74.04.005 and 2020 c 136 s 1 are each amended to
9 read as follows:

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

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

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

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

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

20 (5) "Department" means the department of social and health
21 services.

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

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

4 (8) "Federal aid assistance" means the specific categories of
5 assistance for which provision is made in any federal law existing or
6 hereafter passed by which payments are made from the federal
7 government to the state in aid or in respect to payment by the state
8 for public assistance rendered to any category of needy persons for
9 which provision for federal funds or aid may from time to time be
10 made, or a federally administered needs-based program.

11 (9) "Income" means:

12 (a) All appreciable gains in real or personal property (cash or
13 kind) or other assets, which are received by or become available for
14 use and enjoyment by an applicant or recipient during the month of
15 application or after applying for or receiving public assistance. The
16 department may by rule and regulation exempt income received by an
17 applicant for or recipient of public assistance which can be used by
18 him or her to decrease his or her need for public assistance or to
19 aid in rehabilitating him or her or his or her dependents, but such
20 exemption shall not, unless otherwise provided in this title, exceed
21 the exemptions of resources granted under this chapter to an
22 applicant for public assistance. In addition, for cash assistance the
23 department may disregard income pursuant to RCW 74.08A.230 and
24 74.12.350.

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

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

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

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

4 (13) "Resource" means any asset, tangible or intangible, owned by
5 or available to the applicant at the time of application, which can
6 be applied toward meeting the applicant's need, either directly or by
7 conversion into money or its equivalent. The department may by rule
8 designate resources that an applicant may retain and not be
9 ineligible for public assistance because of such resources. Exempt
10 resources shall include, but are not limited to:

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

13 (b) Household furnishings and personal effects;

14 (c) One motor vehicle, other than a motor home, that is used and
15 useful (~~((having an equity value not to exceed ten thousand dollars))~~);

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

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

20 (f) All other resources, including any excess of values exempted,
21 not to exceed (~~((six thousand dollars))~~) \$25,000 or other limit as set
22 by the department, to be consistent with limitations on resources and
23 exemptions necessary for federal aid assistance;

24 (~~((f))~~) (g) Applicants for or recipients of benefits under RCW
25 74.62.030 and 43.185C.220 shall have their eligibility based on
26 resource limitations consistent with the temporary assistance for
27 needy families program rules adopted by the department; and

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

1 (A) The applicant or recipient signs an agreement to repay the
2 lesser of the amount of aid received or the net proceeds of such
3 sale;

4 (B) If the owner of the excess property ceases to make good faith
5 efforts to sell the property, the entire amount of assistance may
6 become an overpayment and a debt due the state and may be recovered
7 pursuant to RCW 43.20B.630;

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

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

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

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

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

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

24 (ii) Filed or are preparing to file an application with the
25 appropriate federal agency for status pursuant to 8 U.S.C. Sec.
26 1101(a)(15)(U), as it existed on January 1, 2020; or

27 (iii) Been harmed by either any violation of chapter 9A.40 or
28 9.68A RCW, or both, or by substantially similar crimes under federal
29 law or the laws of any other state, and who:

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

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

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

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

37 (B) When the victim is under (~~twenty-one~~) 21 years of age, a
38 victim's parents and unmarried siblings under the age of (~~eighteen~~)
39 18.

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

8 (17) For purposes of determining eligibility for public
9 assistance and participation levels in the cost of medical care, the
10 department shall exempt restitution payments made to people of
11 Japanese and Aleut ancestry pursuant to the Civil Liberties Act of
12 1988 and the Aleutian and Pribilof Island Restitution Act passed by
13 congress, P.L. 100-383, including all income and resources derived
14 therefrom.

15 (18) In the construction of words and phrases used in this title,
16 the singular number shall include the plural, the masculine gender
17 shall include both the feminine and neuter genders, and the present
18 tense shall include the past and future tenses, unless the context
19 thereof shall clearly indicate to the contrary.

20 **Sec. 2.** RCW 74.04.770 and 2021 c 9 s 3 are each amended to read
21 as follows:

22 (1) The department shall establish consolidated standards of need
23 each fiscal year which may vary by geographical areas, program, and
24 family size, for temporary assistance for needy families, refugee
25 assistance, supplemental security income, and benefits under RCW
26 74.62.030.

27 (2)(a) Standards of need for temporary assistance for needy
28 families, refugee assistance, and benefits under RCW 74.62.030 shall
29 be based on studies of actual living costs and generally recognized
30 inflation indices and shall include reasonable allowances for basic
31 household needs including shelter, fuel, food, transportation,
32 clothing, household maintenance and operations, personal maintenance,
33 necessary incidentals, cell phone and internet, and out-of-pocket
34 costs for child care and health care.

35 (b) By July 1, 2022, to ensure the standards of need reflect the
36 current goods and services households need, the department must use
37 an existing, broadly used national standard that meets the
38 requirements of (a) of this subsection as the base for annual
39 updating in subsection (1) of this section.

1 (c) The standard of need may take into account the economies of
2 joint living arrangements, but unless explicitly required by federal
3 statute, there shall not be proration of any portion of assistance
4 grants unless the amount of the grant standard is equal to the
5 standard of need.

6 The department is authorized to establish rateable reductions and
7 grant maximums consistent with federal law.

8 (3) Payment level (~~((will be equal to need or a lesser amount if
9 rateable reductions or grant maximums are imposed))~~) for temporary
10 assistance for needy families, refugee assistance, and benefits under
11 RCW 74.62.030 will be no less than 15 percent of need or the previous
12 year's payment level, whichever is greater, if rateable reductions or
13 grant maximums are imposed. However, payment levels may not increase
14 by more than three percent in any single state fiscal year based on
15 this subsection. In no case shall a recipient of supplemental
16 security income receive a state supplement less than the minimum
17 required by federal law.

18 **Sec. 3.** RCW 74.08A.010 and 2022 c 24 s 1 are each amended to
19 read as follows:

20 (1) A family that includes an adult who has received temporary
21 assistance for needy families for (~~(sixty)~~) 60 months after July 27,
22 1997, shall be ineligible for further temporary assistance for needy
23 families assistance.

24 (2) For the purposes of applying the rules of this section, the
25 department shall count any month in which an adult family member
26 received a temporary assistance for needy families cash assistance
27 grant unless the assistance was provided when the adult family member
28 was a minor child and not the head of the household or married to the
29 head of the household.

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

34 ~~(4))~~) The department shall refer recipients who require
35 specialized assistance to appropriate department programs, crime
36 victims' programs through the department of commerce, or the crime
37 victims' compensation program of the department of labor and
38 industries.

1 (~~(5)~~) (4)(a) The department shall add to adopted rules related
2 to temporary assistance for needy families time limit extensions, the
3 following criteria by which the department shall exempt a recipient
4 and the recipient's family from the application of subsection (1) of
5 this section:

6 (i) By reason of hardship, including when:

7 (A) The recipient's family includes a child or youth who is
8 without a fixed, regular, and adequate nighttime residence as
9 described in the federal McKinney-Vento homeless assistance act
10 (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed
11 on January 1, 2020;

12 (B) The recipient received temporary assistance for needy
13 families during a month on or after March 1, 2020, when Washington
14 state's unemployment rate as published by the Washington employment
15 security department was equal to or greater than seven percent, and
16 the recipient is otherwise eligible for temporary assistance for
17 needy families except that they have exceeded 60 months. The
18 extension provided for under this subsection (~~(5)~~) (4)(a)(i)(B) is
19 equal to the number of months that the recipient received temporary
20 assistance for needy families during a month on or after March 1,
21 2020, when the unemployment rate was equal to or greater than seven
22 percent, and is applied sequentially to any other hardship extensions
23 that may apply under this subsection (~~(5)~~) (4) or in rule; (~~(e)~~)

24 (C) Beginning July 1, 2022, the Washington state unemployment
25 rate most recently published by the Washington employment security
26 department is equal to or greater than seven percent; or

27 (D) Termination or denial of cash assistance would result in
28 financial distress for 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) (~~(e)-(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)~~) (5) The department shall not exempt a recipient and his
38 or her family from the application of subsection (1) (~~(e)-(3)~~) of
39 this section until after the recipient has received (~~fifty-two~~) 52
40 months of assistance under this chapter.

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

7 ((+8)) (7) The department may adopt rules specifying which
8 published employment security department unemployment rates to use
9 for the purposes of subsection ((+5)) (4)(a)(i)(B) and (C) of this
10 section.

11 **Sec. 4.** RCW 74.08A.010 and 2022 c 98 s 1 and 2022 c 24 s 1 are
12 each reenacted and amended to read as follows:

13 (1) A family that includes an adult who has received temporary
14 assistance for needy families for ((sixty)) 60 months after July 27,
15 1997, shall be ineligible for further temporary assistance for needy
16 families assistance.

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

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

27 ~~(4))~~ The department shall refer recipients who require
28 specialized assistance to appropriate department programs, crime
29 victims' programs through the department of commerce, or the crime
30 victims' compensation program of the department of labor and
31 industries.

32 ((+5)) (4)(a) The department shall add to adopted rules related
33 to temporary assistance for needy families time limit extensions, the
34 following criteria by which the department shall exempt a recipient
35 and the recipient's family from the application of subsection (1) of
36 this section:

37 (i) By reason of hardship, including when:

38 (A) The recipient's family includes a child or youth who is
39 without a fixed, regular, and adequate nighttime residence as

1 described in the federal McKinney-Vento homeless assistance act
2 (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed
3 on January 1, 2020;

4 (B) The recipient received temporary assistance for needy
5 families during a month on or after March 1, 2020, when Washington
6 state's unemployment rate as published by the Washington employment
7 security department was equal to or greater than seven percent, and
8 the recipient is otherwise eligible for temporary assistance for
9 needy families except that they have exceeded 60 months. The
10 extension provided for under this subsection (~~((5))~~) (4)(a)(i)(B) is
11 equal to the number of months that the recipient received temporary
12 assistance for needy families during a month on or after March 1,
13 2020, when the unemployment rate was equal to or greater than seven
14 percent, and is applied sequentially to any other hardship extensions
15 that may apply under this subsection (~~((5))~~) (4) or in rule; (~~((or))~~)

16 (C) Beginning July 1, 2022, the Washington state unemployment
17 rate most recently published by the Washington employment security
18 department is equal to or greater than seven percent; or

19 (D) Termination or denial of cash assistance would result in
20 financial distress for the recipient's family; or

21 (ii) 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))~~) (5) The department shall not exempt a recipient and his
30 or her family from the application of subsection (1) (~~((or--(3))~~) of
31 this section until after the recipient has received (~~((fifty-two))~~) 52
32 months of assistance under this chapter.

33 (~~((7))~~) (6) The department shall provide transitional food
34 assistance for a period of five months to a household that ceases to
35 receive temporary assistance for needy families assistance and is not
36 in full-family sanction status. If a member of a household has been
37 sanctioned but the household is still receiving benefits, the
38 remaining eligible household members may receive transitional food
39 assistance. If necessary, the department shall extend the household's
40 basic food certification until the end of the transition period.

1 ~~((8))~~ (7) The department may adopt rules specifying which
2 published employment security department unemployment rates to use
3 for the purposes of subsection ~~((5))~~ (4)(a)(i)(B) and (C) of this
4 section.

5 **Sec. 5.** RCW 74.08A.015 and 2021 c 239 s 3 are each amended to
6 read as follows:

7 All families who have received temporary assistance for needy
8 families since March 1, 2020, are eligible for the extension under
9 RCW 74.08A.010~~((5))~~ (4)(a)(i)(B), regardless of whether they are
10 current recipients. Eligible families shall only receive temporary
11 assistance for needy families benefits that accrue after July 25,
12 2021.

13 **Sec. 6.** RCW 74.08A.230 and 1997 c 58 s 308 are each amended to
14 read as follows:

15 (1) In addition to their monthly benefit payment, a family may
16 earn and keep 100 percent of new earnings for up to six months. After
17 six consecutive months, the department may only disregard one-half of
18 ~~((its))~~ the family's earnings during every month it is eligible to
19 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))~~ need standard as set by the
23 department. In calculating a household's gross earnings, the
24 department shall disregard the 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))~~ 35 hours per week.

28 **Sec. 7.** RCW 74.08A.250 and 2019 c 343 s 5 are each amended to
29 read as follows:

30 Unless the context clearly requires otherwise, as used in this
31 chapter, "work activity" means:

- 32 (1) Unsubsidized paid employment in the private or public sector;
33 (2) Subsidized paid employment in the private or public sector,
34 including employment through the state or federal work-study program
35 for a period not to exceed ~~((twenty-four))~~ 24 months;
36 (3) Work experience, including:

- 1 (a) An internship or practicum, that is paid or unpaid and is
2 required to complete a course of vocational training or to obtain a
3 license or certificate in a high-demand occupation, as determined by
4 the employment security department. No internship or practicum shall
5 exceed (~~twelve~~) 12 months; or
- 6 (b) Work associated with the refurbishing of publicly assisted
7 housing, if sufficient paid employment is not available;
- 8 (4) On-the-job training;
- 9 (5) Job search and job readiness assistance;
- 10 (6) Community service programs, including a recipient's voluntary
11 service at a child care or preschool facility licensed under chapter
12 43.216 RCW or an elementary school in which his or her child is
13 enrolled;
- 14 (7) Vocational educational training, not to exceed (~~twelve~~) 12
15 months with respect to any individual except that this (~~twelve-~~
16 ~~month~~) 12-month limit may be increased to (~~twenty-four~~) 24 months
17 subject to funding appropriated specifically for this purpose;
- 18 (8) Job skills training directly related to employment;
- 19 (9) Education directly related to employment, in the case of a
20 recipient who has not received a high school diploma or a high school
21 equivalency certificate as provided in RCW 28B.50.536;
- 22 (10) Satisfactory attendance at secondary school or in a course
23 of study leading to a high school equivalency certificate as provided
24 in RCW 28B.50.536, in the case of a recipient who has not completed
25 secondary school or received such a certificate;
- 26 (11) The provision of child care services to an individual who is
27 participating in a community service program;
- 28 (12) Internships, that shall be paid or unpaid work experience
29 performed by an intern in a business, industry, or government or
30 nongovernmental agency setting;
- 31 (13) Practicums, which include any educational program in which a
32 student is working under the close supervision of a professional in
33 an agency, clinic, or other professional practice setting for
34 purposes of advancing their skills and knowledge;
- 35 (14) Services required by the recipient under RCW 74.08.025(2)
36 and 74.08A.010(~~(4)~~) (3) to become employable;
- 37 (15) Financial literacy activities designed to be effective in
38 assisting a recipient in becoming self-sufficient and financially
39 stable; and

1 (16) Parent education services or programs that support
2 development of appropriate parenting skills, life skills, and
3 employment-related competencies.

4 **Sec. 8.** RCW 74.08A.270 and 2017 3rd sp.s. c 21 s 2 are each
5 amended to read as follows:

6 (1) Good cause reasons for failure to participate in WorkFirst
7 program components include situations where: (a) (~~Situations where~~
8 ~~the~~) The recipient is a parent or other relative personally
9 providing care for a child under the age of six years, and formal or
10 informal child care, or day care for an incapacitated individual
11 living in the same home as a dependent child, is necessary for an
12 individual to participate or continue participation in the program or
13 accept employment, and such care is not available, and the department
14 fails to provide such care; (~~or~~) (b) the recipient is a parent with
15 a child under the age of two years; or (c) the recipient is
16 experiencing a hardship as defined by the department in rule.

17 (2) A parent claiming a good cause exemption from WorkFirst
18 participation under subsection (1)(b) of this section may be required
19 to participate in one or more of the following, up to a maximum total
20 of twenty hours per week, if such treatment, services, or training is
21 indicated by the comprehensive evaluation or other assessment:

22 (a) Mental health treatment;

23 (b) Alcohol or drug treatment;

24 (c) Domestic violence services; or

25 (d) Parenting education or parenting skills training, if
26 available.

27 (3) The department shall: (a) Work with a parent claiming a good
28 cause exemption under subsection (1)(b) of this section to identify
29 and access programs and services designed to improve parenting skills
30 and promote child well-being, including but not limited to home
31 visitation programs and services; and (b) provide information on the
32 availability of home visitation services to temporary assistance for
33 needy families caseworkers, who shall inform clients of the
34 availability of the services. If desired by the client, the
35 caseworker shall facilitate appropriate referrals to providers of
36 home visitation services.

37 (4) Nothing in this section shall prevent a recipient from
38 participating in the WorkFirst program on a voluntary basis.

1 (5) A parent is eligible for a good cause exemption under
2 subsection (1)(b) of this section for a maximum total of (~~twenty-~~
3 ~~four~~) 24 months over the parent's lifetime.

4 NEW SECTION. **Sec. 9.** Section 3 of this act expires January 1,
5 2024.

6 NEW SECTION. **Sec. 10.** Sections 2 and 4 of this act take effect
7 January 1, 2024.

8 NEW SECTION. **Sec. 11.** Section 1 of this act takes effect
9 February 1, 2024.

10 NEW SECTION. **Sec. 12.** Section 6 of this act takes effect August
11 1, 2024.

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