S-0394.2

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**SENATE BILL 5531**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senator Padden

AN ACT Relating to establishing criminal penalties for unauthorized use, presentation, transfer, or acquisition of supplemental nutrition assistance program benefits; amending RCW 9.91.140, 9.91.142, and 9.91.144; adding a new section to chapter 9.91 RCW; and prescribing penalties.

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

NEW SECTION. **Sec.**  A new section is added to chapter 9.91 RCW to read as follows:

A person who knowingly uses, presents, transfers, acquires, or possesses unauthorized supplemental nutrition assistance program benefits as defined by federal law, Title 7 U.S.C. Sec. 2011 et seq., is guilty of the following:

(1) A class C felony punishable according to chapter 9A.20 RCW if the face value of the benefits exceeds seven hundred fifty dollars; or

(2) A gross misdemeanor if the face value of the benefits is seven hundred fifty dollars or less.

**Sec.**  RCW 9.91.140 and 2003 c 53 s 49 are each amended to read as follows:

A person who sells ((~~food stamps~~)) supplemental nutrition assistance program benefits obtained through the program established under RCW 74.04.500 ((~~or food stamp benefits transferred electronically~~)), or food purchased therewith, is guilty of the following:

(1) A gross misdemeanor if the value of the ((~~stamps,~~)) benefits((~~,~~)) or food transferred exceeds ((~~one hundred~~)) seven hundred fifty dollars; or

(2) A misdemeanor if the value of the ((~~stamps,~~)) benefits((~~,~~)) or food transferred is ((~~one hundred~~)) seven hundred fifty dollars or less.

**Sec.**  RCW 9.91.142 and 2003 c 53 s 50 are each amended to read as follows:

A person who purchases, or who otherwise acquires and sells, or who traffics in, ((~~food stamps~~)) supplemental nutrition assistance program benefits as defined by ((~~the~~)) federal ((~~food stamp act, as amended,~~)) law, Title 7 U.S.C. Sec. 2011 et seq., ((~~or food stamp benefits transferred electronically,~~)) is guilty of the following:

(1) A class C felony punishable according to chapter 9A.20 RCW if the face value of the ((~~stamps or~~)) benefits exceeds ((~~one hundred~~)) seven hundred fifty dollars; or

(2) A gross misdemeanor if the face value of the ((~~stamps or~~)) benefits is ((~~one hundred~~)) seven hundred fifty dollars or less.

**Sec.**  RCW 9.91.144 and 2003 c 53 s 51 are each amended to read as follows:

A person who, in violation of 7 U.S.C. Sec. 2024(c), obtains and presents ((~~food stamps~~)) supplemental nutrition assistance program benefits as defined by ((~~the~~)) federal ((~~food stamp act, as amended,~~)) law, Title 7 U.S.C. Sec. 2011 et seq., ((~~or food stamp benefits transferred electronically,~~)) for redemption or causes such ((~~stamps or~~)) benefits to be presented for redemption through the program established under RCW 74.04.500 is guilty of a class C felony punishable according to chapter 9A.20 RCW.

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