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HOUSE BILL 2009

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State of Washington

67th Legislature

2022 Regular Session

**By** Representatives Berry, Peterson, Ramel, Ryu, Macri, Bateman, Hackney, Ormsby, Frame, and Pollet

Read first time 01/17/22. Referred to Committee on Housing, Human Services & Veterans.

1 AN ACT Relating to creating the evergreen basic income trust;  
2 amending RCW 74.04.005, 43.185C.220, and 43.216.1368; reenacting and  
3 amending RCW 10.101.010; adding a new section to chapter 74.04 RCW;  
4 adding a new section to chapter 43.216 RCW; and creating a new  
5 section.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that economic  
8 inequality continues to widen the gap between the top few earners and  
9 working and low-income families. The legislature recognizes that  
10 wages have failed to keep pace with the cost of living. The  
11 legislature finds that centuries of discriminatory policies have  
12 resulted especially in black and African American, American Indian  
13 and Alaskan Native, Hispanic or Latinx, and other households of color  
14 having significantly lower median incomes than white and Asian  
15 households.

16 The legislature declares that all Washington households deserve  
17 basic financial security and that it is the goal of the state of  
18 Washington to ensure economic sustainability for all families. The  
19 legislature finds that direct cash assistance is one of the most  
20 effective ways to increase financial stability among people and  
21 families struggling to cover essential expenses. The legislature

1 finds that flexible cash assistance allows recipients to choose how  
2 to allocate funds in order to best care for themselves and meet the  
3 particular needs of their families.

4 The legislature recognizes that direct cash assistance is a  
5 policy solution that will advance racial wealth equity and has been  
6 promoted by black leaders for many decades, including Martin Luther  
7 King Jr., the black panther party, and the national welfare rights  
8 organization. In addition, the legislature finds that a substantial  
9 body of evidence suggests that direct cash assistance reduces  
10 poverty, increases economic mobility, and improves health and well-  
11 being.

12 The legislature finds that communities are leading local  
13 guaranteed basic income pilot projects across Washington state, and  
14 that the Washington state department of social and health services is  
15 currently completing a feasibility study jointly with the poverty  
16 reduction work group and a steering committee of people and  
17 communities historically excluded from social and economic well-being  
18 on a statewide universal basic income pilot program.

19 The legislature intends to advance a statewide guaranteed basic  
20 income program that builds on the experience of locally based,  
21 community driven pilot programs and the statewide feasibility study.

22 The legislature further intends that income received from this  
23 and other basic income programs not impact eligibility for other  
24 benefits like food assistance or child care.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.04  
26 RCW to read as follows:

27 (1) The evergreen basic income trust is created within the  
28 department.

29 (2) The trust shall provide a monthly payment for 36 months to  
30 persons who:

31 (a) Are at least 18 years of age;

32 (b) Are a resident of Washington state;

33 (c) Have reported gross income that does not exceed 50 percent of  
34 area median income, as determined by the United States department of  
35 housing and urban development's annually adjusted home income limits  
36 or a substantially similar amount determined by the department; and

37 (d) Have submitted an evergreen basic income trust application to  
38 the department, in a form and manner determined by the department in  
39 collaboration with the poverty reduction work group and a steering

1 committee of people and communities historically excluded from social  
2 and economic well-being.

3 (3) The department shall make an eligibility determination within  
4 45 days of receipt of a complete application.

5 (4) For the purpose of the trust, the cash assistance provided  
6 may not impact eligibility for other income or means tested programs  
7 including, but not limited to: The Washington basic food program, as  
8 provided for in rule; the aged, blind, or disabled cash assistance  
9 program, as provided for in RCW 74.62.030; the essential needs and  
10 housing support program, as provided for in RCW 43.185C.220;  
11 temporary assistance for needy families, as provided for in RCW  
12 74.08.025; indigent defense services, as provided for in RCW  
13 10.101.010; the working connections child care program, as provided  
14 for in RCW 43.216.136; and the early childhood education and  
15 assistance program as provided for in RCW 43.216.510.

16 (5) Beginning January 1, 2023, the department shall:

17 (a) Provide monthly cash assistance equal to the fair market rent  
18 for a two bedroom home in the zip code in which the eligible  
19 individual resides, or a substantially similar amount as determined  
20 by the department, for 36 months;

21 (b) Prioritize outreach and enrollment efforts to lowest income  
22 households and other key populations, such as young adults who have  
23 aged out of foster care, young adults experiencing homelessness, and  
24 adults who were formerly incarcerated;

25 (c) Work with and provide financial support for community-based  
26 organizations to support outreach and enrollment, especially to  
27 communities who are harder to reach, such as people experiencing  
28 homelessness, rural communities, and immigrant and refugee  
29 communities;

30 (d) Prioritize 12-month continuous eligibility, automatic  
31 enrollment whenever possible, and integration with other public  
32 benefits;

33 (e) Track information on who is receiving basic income from the  
34 trust by age, ethnicity, gender, household size, housing status, and  
35 race; and

36 (f) By November 1, 2023, submit a report to the appropriate  
37 committees of the legislature. The report shall include outcomes of  
38 the trust, including information on who is being served by age,  
39 ethnicity, gender, household size, housing status, race, and other  
40 metrics developed in collaboration with the poverty reduction work

1 group and a steering committee of people and communities historically  
2 excluded from social and economic well-being.

3 (6) The department shall consult with the poverty reduction work  
4 group and a steering committee of people and communities historically  
5 excluded from social and economic well-being for feedback on  
6 equitable and effective implementation of the evergreen basic income  
7 trust, including the enrollment forms, community-based outreach  
8 efforts, appeals process, and program evaluation.

9 **Sec. 3.** RCW 10.101.010 and 2011 1st sp.s. c 36 s 12 are each  
10 reenacted and amended to read as follows:

11 The following definitions shall be applied in connection with  
12 this chapter:

13 (1) "Anticipated cost of counsel" means the cost of retaining  
14 private counsel for representation on the matter before the court.

15 (2) "Available funds" means liquid assets and disposable net  
16 monthly income calculated after provision is made for bail  
17 obligations. For the purpose of determining available funds, the  
18 following definitions shall apply:

19 (a) "Liquid assets" means cash, savings accounts, bank accounts,  
20 stocks, bonds, certificates of deposit, equity in real estate, and  
21 equity in motor vehicles. A motor vehicle necessary to maintain  
22 employment and having a market value not greater than three thousand  
23 dollars shall not be considered a liquid asset.

24 (b) "Income" means salary, wages, interest, dividends, and other  
25 earnings which are reportable for federal income tax purposes, and  
26 cash payments such as reimbursements received from pensions,  
27 annuities, social security, and public assistance programs. It  
28 includes any contribution received from any family member or other  
29 person who is domiciled in the same residence as the defendant and  
30 who is helping to defray the defendant's basic living costs.

31 (c) "Disposable net monthly income" means the income remaining  
32 each month after deducting federal, state, or local income taxes,  
33 social security taxes, contributory retirement, union dues, and basic  
34 living costs.

35 (d) "Basic living costs" means the average monthly amount spent  
36 by the defendant for reasonable payments toward living costs, such as  
37 shelter, food, utilities, health care, transportation, clothing, loan  
38 payments, support payments, and court-imposed obligations.

1 (3) "Indigent" means a person who, at any stage of a court  
2 proceeding, is:

3 (a) Receiving one of the following types of public assistance:  
4 Temporary assistance for needy families, aged, blind, or disabled  
5 assistance benefits, medical care services under RCW 74.09.035,  
6 pregnant women assistance benefits, poverty-related veterans'  
7 benefits, food stamps or food stamp benefits transferred  
8 electronically, refugee resettlement benefits, medicaid, or  
9 supplemental security income, or cash assistance from the evergreen  
10 basic income trust as provided for in section 2 of this act; or

11 (b) Involuntarily committed to a public mental health facility;  
12 or

13 (c) Receiving an annual income, after taxes, of one hundred  
14 twenty-five percent or less of the current federally established  
15 poverty level; or

16 (d) Unable to pay the anticipated cost of counsel for the matter  
17 before the court because his or her available funds are insufficient  
18 to pay any amount for the retention of counsel.

19 (4) "Indigent and able to contribute" means a person who, at any  
20 stage of a court proceeding, is unable to pay the anticipated cost of  
21 counsel for the matter before the court because his or her available  
22 funds are less than the anticipated cost of counsel but sufficient  
23 for the person to pay a portion of that cost.

24 **Sec. 4.** RCW 74.04.005 and 2020 c 136 s 1 are each amended to  
25 read as follows:

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

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

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

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

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

36 (5) "Department" means the department of social and health  
37 services.

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

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

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

10 (9) "Income" means:

11 (a) All appreciable gains in real or personal property (cash or  
12 kind) or other assets, which are received by or become available for  
13 use and enjoyment by an applicant or recipient during the month of  
14 application or after applying for or receiving public assistance. The  
15 department may by rule and regulation exempt income received by an  
16 applicant for or recipient of public assistance which can be used by  
17 him or her to decrease his or her need for public assistance or to  
18 aid in rehabilitating him or her or his or her dependents, but such  
19 exemption shall not, unless otherwise provided in this title, exceed  
20 the exemptions of resources granted under this chapter to an  
21 applicant for public assistance. In addition, for cash assistance the  
22 department may disregard income pursuant to RCW 74.08A.230 and  
23 74.12.350. Furthermore, any cash assistance a person receives from  
24 the evergreen basic income trust as provided for in section 2 of this  
25 act or any guaranteed basic income program operated by a government  
26 or private entity may not be considered in determining a person's  
27 initial or ongoing eligibility for public assistance.

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

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

39 (11) "Public assistance" or "assistance" means public aid to  
40 persons in need thereof for any cause, including services, medical

1 care, assistance grants, disbursing orders, work relief, benefits  
2 under RCW 74.62.030 and 43.185C.220, and federal aid assistance.

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

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

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

15 (b) Household furnishings and personal effects;

16 (c) One motor vehicle, other than a motor home, used and useful  
17 having an equity value not to exceed ten thousand dollars;

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

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

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

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

1 excess real property owned by such persons when they are making a  
2 good faith effort to dispose of that property if:

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

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

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

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

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

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

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

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

26 (ii) Filed or are preparing to file an application with the  
27 appropriate federal agency for status pursuant to 8 U.S.C. Sec.  
28 1101(a)(15)(U), as it existed on January 1, 2020; or

29 (iii) Been harmed by either any violation of chapter 9A.40 or  
30 9.68A RCW, or both, or by substantially similar crimes under federal  
31 law or the laws of any other state, and who:

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

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

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

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

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

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. 5.** RCW 43.185C.220 and 2015 c 128 s 5 are each amended to  
21 read as follows:

22 (1) The department shall distribute funds for the essential needs  
23 and housing support program established under this section in a  
24 manner consistent with the requirements of this section and the  
25 biennial operating budget. The first distribution of funds must be  
26 completed by September 1, 2011. Essential needs or housing support is  
27 only for persons found eligible for such services under RCW 74.04.805  
28 and is not considered an entitlement.

29 (2) The department shall distribute funds appropriated for the  
30 essential needs and housing support program in the form of grants to  
31 designated essential needs support and housing support entities  
32 within each county. The department shall not distribute any funds  
33 until it approves the expenditure plan submitted by the designated  
34 essential needs support and housing support entities. The amount of  
35 funds to be distributed pursuant to this section shall be designated  
36 in the biennial operating budget. For the sole purpose of meeting the  
37 initial distribution of funds date, the department may distribute  
38 partial funds upon the department's approval of a preliminary

1 expenditure plan. The department shall not distribute the remaining  
2 funds until it has approved a final expenditure plan.

3 (3) (a) During the 2011-2013 biennium, in awarding housing support  
4 that is not funded through the contingency fund in this subsection,  
5 the designated housing support entity shall provide housing support  
6 to clients who are homeless persons as defined in RCW 43.185C.010. As  
7 provided in the biennial operating budget for the 2011-2013 biennium,  
8 a contingency fund shall be used solely for those clients who are at  
9 substantial risk of losing stable housing or at substantial risk of  
10 losing one of the other services defined in RCW 74.62.010(6). For  
11 purposes of this chapter, "substantial risk" means the client has  
12 provided documentation that he or she will lose his or her housing  
13 within the next thirty days or that the services will be discontinued  
14 within the next thirty days.

15 (b) After July 1, 2013, the designated housing support entity  
16 shall give first priority to clients who are homeless persons as  
17 defined in RCW 43.185C.010 and second priority to clients who would  
18 be at substantial risk of losing stable housing without housing  
19 support.

20 (4) For each county, the department shall designate an essential  
21 needs support entity and a housing support entity that will begin  
22 providing these supports to medical care services program recipients  
23 on November 1, 2011. Essential needs and housing support entities are  
24 not required to provide assistance to every person referred to the  
25 local entity or who meets the priority standards in subsection (3) of  
26 this section.

27 (a) Each designated entity must be a local government or  
28 community-based organization, and may administer the funding for  
29 essential needs support, housing support, or both. Designated  
30 entities have the authority to subcontract with qualified entities.  
31 Upon request, and the approval of the department, two or more  
32 counties may combine resources to more effectively deliver services.

33 (b) The department's designation process must include a review of  
34 proficiency in managing housing or human services programs when  
35 designating housing support entities.

36 (c) Within a county, if the department directly awards separate  
37 grants to the designated housing support entity and the designated  
38 essential needs support entity, the department shall determine the  
39 amount allocated for essential needs support as directed in the  
40 biennial operating budget.

1 (5) (a) Essential needs and housing support entities must use  
2 funds distributed under this section as flexibly as is practicable to  
3 provide essential needs items and housing support to recipients of  
4 the essential needs and housing support program, subject to the  
5 requirements of this section.

6 (b) Benefits provided under the essential needs and housing  
7 support program shall not be provided to recipients in the form of  
8 cash assistance.

9 (c) The department may move funds between entities or between  
10 counties to reflect actual caseload changes. In doing so, the  
11 department must: (i) Develop a process for reviewing the caseload of  
12 designated essential needs and housing support entities, and for  
13 redistributing grant funds from those entities experiencing reduced  
14 actual caseloads to those with increased actual caseloads; and (ii)  
15 inform all designated entities of the redistribution process. Savings  
16 resulting from program caseload attrition from the essential needs  
17 and housing support program shall not result in increased per-client  
18 expenditures.

19 (d) Essential needs and housing support entities must partner  
20 with other public and private organizations to maximize the  
21 beneficial impact of funds distributed under this section, and should  
22 attempt to leverage other sources of public and private funds to  
23 serve essential needs and housing support recipients. Funds  
24 appropriated in the operating budget for essential needs and housing  
25 support must be used only to serve persons eligible to receive  
26 services under that program.

27 (6) The department shall use no more than five percent of the  
28 funds for administration of the essential needs and housing support  
29 program. Each essential needs and housing support entity shall use no  
30 more than seven percent of the funds for administrative expenses.

31 (7) The department shall:

32 (a) Require housing support entities to enter data into the  
33 homeless client management information system;

34 (b) Require essential needs support entities to report on  
35 services provided under this section;

36 (c) In collaboration with the department of social and health  
37 services, submit a report annually to the relevant policy and fiscal  
38 committees of the legislature. A preliminary report shall be  
39 submitted by December 31, 2011, and must include (c) (i), (iii), and

1 (v) of this subsection. Annual reports must be submitted beginning  
2 December 1, 2012, and must include:

3 (i) A description of the actions the department has taken to  
4 achieve the objectives of chapter 36, Laws of 2011 1st sp. sess.;

5 (ii) The amount of funds used by the department to administer the  
6 program;

7 (iii) Information on the housing status of essential needs and  
8 housing support recipients served by housing support entities, and  
9 individuals who have requested housing support but did not receive  
10 housing support;

11 (iv) Grantee expenditure data related to administration and  
12 services provided under this section; and

13 (v) Efforts made to partner with other entities and leverage  
14 sources or public and private funds;

15 (d) Review the data submitted by the designated entities, and  
16 make recommendations for program improvements and administrative  
17 efficiencies. The department has the authority to designate  
18 alternative entities as necessary due to performance or other  
19 significant issues. Such change must only be made after consultation  
20 with the department of social and health services and the impacted  
21 entity.

22 (8) The department, counties, and essential needs and housing  
23 support entities are not civilly or criminally liable and may not  
24 have any penalty or cause of action of any nature arise against them  
25 related to decisions regarding: (a) The provision or lack of  
26 provision of housing or essential needs support; or (b) the type of  
27 housing arrangement supported with funds allocated under this  
28 section, when the decision was made in good faith and in the  
29 performance of the powers and duties under this section. However,  
30 this section does not prohibit legal actions against the department,  
31 county, or essential needs or housing support entity to enforce  
32 contractual duties or obligations.

33 (9) Eligible recipients of cash assistance from the evergreen  
34 basic income trust, as provided for in section 2 of this act, are  
35 eligible for assistance through the essential needs and housing  
36 support program.

37 (a) Any cash assistance a person receives from the evergreen  
38 basic income trust under section 2 of this act or any guaranteed  
39 basic income program operated by a government or private entity may

1 not be considered in determining a person's initial or ongoing  
2 eligibility for the essential needs and housing support program.

3 (b) The department shall coordinate with the department of social  
4 and health services to ensure that eligible recipients of the  
5 evergreen basic income trust have access to benefits through the  
6 essential needs and housing support program.

7 **Sec. 6.** RCW 43.216.1368 and 2021 c 199 s 201 are each amended to  
8 read as follows:

9 (1) It is the intent of the legislature to increase working  
10 families' access to affordable, high quality child care and to  
11 support the expansion of the workforce to support businesses and the  
12 statewide economy.

13 (2) Beginning October 1, 2021, a family is eligible for working  
14 connections child care when the household's annual income is at or  
15 below 60 percent of the state median income adjusted for family size  
16 and:

17 (a) The child receiving care is: (i) Less than 13 years of age;  
18 or (ii) less than 19 years of age and has a verified special need  
19 according to department rule or is under court supervision; and

20 (b) The household meets all other program eligibility  
21 requirements.

22 (3) Beginning July 1, 2025, a family is eligible for working  
23 connections child care when the household's annual income is above 60  
24 percent and at or below 75 percent of the state median income  
25 adjusted for family size and:

26 (a) The child receiving care is: (i) Less than 13 years of age;  
27 or (ii) less than 19 years of age and has a verified special need  
28 according to department rule or is under court supervision; and

29 (b) The household meets all other program eligibility  
30 requirements.

31 (4) Beginning July 1, 2027, and subject to the availability of  
32 amounts appropriated for this specific purpose, a family is eligible  
33 for working connections child care when the household's annual income  
34 is above 75 percent of the state median income and is at or below 85  
35 percent of the state median income adjusted for family size and:

36 (a) The child receiving care is: (i) Less than 13 years of age;  
37 or (ii) less than 19 years of age and has a verified special need  
38 according to department rule or is under court supervision; and

1 (b) The household meets all other program eligibility  
2 requirements.

3 (5) (a) Beginning July 1, 2021, through June 30, 2023, the  
4 department must calculate a monthly copayment according to the  
5 following schedule:

If the household's income is:	Then the household's maximum monthly copayment is:
At or below 20 percent of the state median income	Waived to the extent allowable under federal law; otherwise, a maximum of \$15
Above 20 percent and at or below 36 percent of the state median income	\$65
Above 36 percent and at or below 50 percent of the state median income	\$115 until December 31, 2021, and \$90 beginning January 1, 2022
Above 50 percent and at or below 60 percent of the state median income	\$115

15 (b) Beginning July 1, 2023, the department must calculate a  
16 monthly copayment according to the following schedule:

If the household's income is:	Then the household's maximum monthly copayment is:
At or below 20 percent of the state median income	Waived to the extent allowable under federal law; otherwise, a maximum of \$15
Above 20 percent and at or below 36 percent of the state median income	\$65
Above 36 percent and at or below 50 percent of the state median income	\$90
Above 50 percent and at or below 60 percent of the state median income	\$165

26 (c) Beginning July 1, 2025, the department must calculate a  
27 maximum monthly copayment of \$215 for households with incomes above  
28 60 percent and at or below 75 percent of the state median income.

29 (d) Subject to the availability of amounts appropriated for this  
30 specific purpose, the department shall adopt a copayment model for  
31 households with annual incomes above 75 percent of the state median  
32 income and at or below 85 percent of the state median income. The  
33 model must calculate a copayment for each household that is no  
34 greater than seven percent of the household's countable income within  
35 this income range.

1 (e) The department may adjust the copayment schedule to comply  
2 with federal law.

3 (6) The department must adopt rules to implement this section,  
4 including an income phase-out eligibility period.

5 (7) For the working connections child care program, the  
6 department may not consider any cash assistance a person receives  
7 from the evergreen basic income trust as provided for in section 2 of  
8 this act or any guaranteed basic income program operated by a  
9 government or private entity in determining a person's initial or  
10 ongoing eligibility or copayment.

11 NEW SECTION. Sec. 7. A new section is added to chapter 43.216  
12 RCW to read as follows:

13 For the early childhood education and assistance program, the  
14 department may not consider any cash assistance a person receives  
15 from the evergreen basic income trust as provided for in section 2 of  
16 this act or any guaranteed basic income program operated by a  
17 government or private entity in determining family income or a  
18 child's eligibility.

--- END ---