
SENATE BILL 5815

State of Washington

54th Legislature

1995 Regular Session

By Senators Hochstatter, Moyer, Deccio, Strannigan, McCaslin and West

Read first time 02/07/95. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to public assistance; amending RCW 74.04.060 and
2 74.04.280; adding a new section to chapter 74.04 RCW; and creating a
3 new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.04 RCW
6 to read as follows:

7 (1) A landlord may recover unpaid rent under this section from a
8 tenant who is on public assistance if the debt is reduced to judgment
9 by a court of competent jurisdiction and notice is given under
10 subsection (2) of this section in addition to any other notice
11 requirements under law.

12 (2) The person shall be notified of the debt by either personal
13 service or certified mail, return receipt requested. Personal service,
14 return of the requested receipt, or refusal by the debtor is proof of
15 notice. The notice shall include a statement of the debt owed and a
16 statement that public assistance payments may be reduced until the debt
17 is paid. Copies of the notice shall also be served on the department.

18 (3) Upon receipt of a writ of garnishment under chapter 6.27 RCW,
19 the department shall deduct from subsequent assistance grants and pay

1 to the landlord any amounts, as determined by the court, that do not
2 exceed deductions as authorized under federal law for financial
3 assistance programs.

4 **Sec. 2.** RCW 74.04.060 and 1987 c 435 s 29 are each amended to read
5 as follows:

6 For the protection of applicants and recipients, the department and
7 the county offices and their respective officers and employees are
8 prohibited, except as hereinafter provided, from disclosing the
9 contents of any records, files, papers and communications, except for
10 purposes directly connected with the administration of the programs of
11 this title. In any judicial proceeding, except such proceeding as is
12 directly concerned with the administration of these programs, such
13 records, files, papers and communications, and their contents, shall be
14 deemed privileged communications and except for the right of any
15 individual to inquire of the office whether a named individual is a
16 recipient of welfare assistance and such person shall be entitled to an
17 affirmative or negative answer. However, upon written request of a
18 parent who has been awarded visitation rights in an action for divorce
19 or separation or any parent with legal custody of the child, the
20 department shall disclose to him or her the last known address and
21 location of his or her natural or adopted children. The secretary
22 shall adopt rules which establish procedures for disclosing the address
23 of the children and providing, when appropriate, for prior notice to
24 the custodian of the children. The notice shall state that a request
25 for disclosure has been received and will be complied with by the
26 department unless the department receives a copy of a court order which
27 enjoins the disclosure of the information or restricts or limits the
28 requesting party's right to contact or visit the other party or the
29 child. Information supplied to a parent by the department shall be
30 used only for purposes directly related to the enforcement of the
31 visitation and custody provisions of the court order of separation or
32 decree of divorce. No parent shall disclose such information to any
33 other person except for the purpose of enforcing visitation provisions
34 of the said order or decree.

35 Upon written request of a landlord who has a judgment for unpaid
36 rent against a tenant who is on public assistance, the department shall
37 disclose to the landlord the current address and location of the person
38 on public assistance. The secretary shall adopt rules that establish

1 procedures for disclosing the address of such tenants. Information
2 supplied to a landlord by the department shall be used only for
3 purposes directly related to the collection of unpaid rent and may not
4 be disclosed by the landlord for any other purpose. The department may
5 require the landlord to submit a certified copy of the judgment
6 establishing that rent is unpaid to the department and any other
7 information necessary to ensure proper identification of the person on
8 public assistance.

9 The county offices shall maintain monthly at their offices a report
10 showing the names and addresses of all recipients in the county
11 receiving public assistance under this title, together with the amount
12 paid to each during the preceding month.

13 The provisions of this section shall not apply to duly designated
14 representatives of approved private welfare agencies, public officials,
15 members of legislative interim committees and advisory committees when
16 performing duties directly connected with the administration of this
17 title, such as regulation and investigation directly connected
18 therewith: PROVIDED, HOWEVER, That any information so obtained by such
19 persons or groups shall be treated with such degree of confidentiality
20 as is required by the federal social security law.

21 It shall be unlawful, except as provided in this section, for any
22 person, body, association, firm, corporation or other agency to
23 solicit, publish, disclose, receive, make use of, or to authorize,
24 knowingly permit, participate in or acquiesce in the use of any lists
25 or names for commercial or political purposes of any nature. The
26 violation of this section shall be a gross misdemeanor.

27 **Sec. 3.** RCW 74.04.280 and 1959 c 26 s 74.04.280 are each amended
28 to read as follows:

29 Assistance given under this title shall not be transferable or
30 assignable at law or in equity and none of the moneys received by
31 recipients under this title shall be subject to execution, levy,
32 attachment, garnishment, or other legal process, or to the operation of
33 any bankruptcy or insolvency law, except as provided in section 1 of
34 this act.

35 NEW SECTION. **Sec. 4.** If any part of this act is found to be in
36 conflict with federal requirements that are a prescribed condition to
37 the allocation of federal funds to the state, the conflicting part of

1 this act is inoperative solely to the extent of the conflict and with
2 respect to the agencies directly affected, and this finding does not
3 affect the operation of the remainder of this act in its application to
4 the agencies concerned. The rules under this act shall meet federal
5 requirements that are a necessary condition to the receipt of federal
6 funds by the state.

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