

FINAL BILL REPORT

SHB 2767

C 252 L 02

Synopsis as Enacted

Brief Description: Prohibiting use of public assistance electronic benefit cards for specified purposes.

Sponsors: By House Committee on Children & Family Services (originally sponsored by Representatives Orcutt, Tokuda, Darneille, Chase, Mielke and Boldt).

House Committee on Children & Family Services
Senate Committee on Human Services & Corrections

Background:

Public assistance recipients receive and use their cash benefits and food stamp benefits through an EBT card. The card resembles a debit or credit card and is used to purchase goods and services and to obtain cash at ATMs.

By law and administrative rule, public assistance recipients may be assigned a protective payee if the person receiving public assistance has demonstrated an inability to care for money. The state is required to pay all costs and fees associated with the services of the protective payee. Protective payees such as social service agencies and guardians receive \$40 per month per client to perform these functions.

The Washington State Gambling Commission was created by the 1973 Legislature as a law enforcement agency with the responsibility of regulating social gambling activities authorized by the Legislature and controlling unauthorized gambling activities. In 1992 the Legislature added the responsibility to negotiate tribal/state compacts for casino gambling activities and to implement the terms of such agreements reached with tribes.

The Washington Horse Racing Commission was created by the Legislature in 1933 and is required to license, regulate, and supervise all race meets held in the state.

The Lottery Commission was created by the Legislature in 1982 and is required to license, regulate, and supervise all lottery games and the sales of tickets or shares.

Summary:

Public assistance recipients are prohibited from using EBT cards or cash obtained from EBT cards, to participate in activities at gambling premises, for parimutuel wagering, or to purchase lottery tickets or shares. The gambling licensee is required to notify the

Department of Social and Health Services (DSHS) of violations, and the department must assign a protective payee to the recipient who committed the violation.

Gambling premises, parimutuel wagering, or lottery licensees are prohibited from allowing EBT cards to be used to participate in activities at gambling premises, for parimutuel wagering, or to purchase lottery tickets or shares. Licensees are required to report violations to the DSHS.

The Gambling Commission is instructed to consider these provisions as elements to be negotiated with federally recognized Indian tribes during compact negotiations.

The DSHS is required to notify EBT cardholders of the prohibition on using the card for the various gambling activities identified in the act and the possible penalties for violations.

Votes on Final Passage:

House 98 0

Senate 48 0 (Senate amended)

House 94 0 (House concurred)

Effective: June 13, 2002