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**SUBSTITUTE SENATE BILL 5327**

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**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** Senate Human Services & Corrections (originally sponsored by Senators Carrell, Zarelli, Becker, Stevens, Baumgartner, Hewitt, King, Schoesler, and Swecker)

READ FIRST TIME 02/25/11.

1           AN ACT Relating to limiting the use of public assistance electronic  
2 benefit cards; amending RCW 74.08.580; prescribing penalties; and  
3 providing an effective date.

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

5           **Sec. 1.** RCW 74.08.580 and 2002 c 252 s 1 are each amended to read  
6 as follows:

7           (1) Any person receiving public assistance is prohibited from using  
8 electronic benefit cards or cash obtained with electronic benefit  
9 cards:

10           (a) For the purpose of participating in any of the activities  
11 authorized under chapter 9.46 RCW;

12           (b) For the purpose of parimutuel wagering authorized under chapter  
13 67.16 RCW; (~~(e)~~)

14           (c) To purchase lottery tickets or shares authorized under chapter  
15 67.70 RCW;

16           (d) For the purpose of participating in or purchasing any  
17 activities located in a tattoo, body piercing, or body art shop  
18 licensed under chapter 18.300 RCW;

1 (e) To purchase cigarettes as defined in RCW 82.24.010 or tobacco  
2 products as defined in RCW 82.26.010;

3 (f) To purchase any items regulated under Title 66 RCW; or

4 (g) For the purpose of purchasing or participating in any  
5 activities in any location listed in subsection (2) of this section.

6 (2) On or before January 1, 2012, the businesses listed in this  
7 subsection must disable the ability of ATM and point-of-sale machines  
8 located on their business premises to accept the electronic benefit  
9 card. The following businesses are required to comply with this  
10 mandate:

11 (a) Taverns licensed under RCW 66.24.330;

12 (b) Beer/wine specialty stores licensed under RCW 66.24.371;

13 (c) Nightclubs licensed under RCW 66.24.600;

14 (d) Contract liquor stores defined under RCW 66.04.010;

15 (e) Bail bond agencies regulated under chapter 18.185 RCW;

16 (f) Gambling establishments licensed under chapter 9.46 RCW;

17 (g) Tattoo, body piercing, or body art shops regulated under  
18 chapter 18.300 RCW;

19 (h) Adult entertainment venues with performances that contain  
20 erotic material where minors under the age of eighteen are prohibited  
21 under RCW 9.68A.150; and

22 (i) Any establishments where persons under the age of eighteen are  
23 not permitted.

24 (3) Violation of subsection (1) of this section constitutes a gross  
25 misdemeanor.

26 (4) Any business establishment which does not comply with the  
27 requirements of subsection (2) of this section shall have its license  
28 issued under chapter 19.02 RCW suspended until such time as the  
29 establishment complies with the requirements of subsection (2) of this  
30 section.

31 (a) The department shall notify, in writing, all recipients of  
32 electronic benefit cards that any violation of subsection (1) of this  
33 section could result in civil or criminal legal proceedings and, for  
34 recipients, the forfeiture of all cash public assistance, and for  
35 business establishments, the temporary suspension of their business  
36 license.

37 (b) Whenever the department receives notice that a person has  
38 violated subsection (1) of this section, the department shall notify

1 the person in writing that the violation could result in civil or  
2 criminal legal proceedings and, for recipients, the forfeiture of all  
3 cash public assistance, and for business establishments, the temporary  
4 suspension of their business license.

5 (c) The department shall assign a protective payee to the person  
6 receiving public assistance who violates subsection (1) of this  
7 section.

8 (5) The cost of implementing this section, if any, shall be offset  
9 by an across-the-board ratable reduction to the public assistance grant  
10 applicable to all recipients.

11 NEW SECTION. Sec. 2. This act takes effect January 1, 2012.

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