
HOUSE BILL 1569

State of Washington

65th Legislature

2017 Regular Session

By Representatives Macri, Pettigrew, Jinkins, Tarleton, Bergquist, Tharinger, Peterson, Cody, Senn, Hudgins, Stonier, Pollet, Stanford, Dolan, Kagi, Reeves, Ryu, Springer, Gregerson, Fey, Fitzgibbon, Slatter, Appleton, Clibborn, Farrell, and Sawyer

Read first time 01/23/17. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to requiring the department of social and health
2 services to request all necessary exemptions and waivers from the
3 federal government to allow students to use electronic benefit
4 transfer cards at institutions of higher education; creating new
5 sections; and providing a contingent expiration date.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that students
8 who receive supplemental nutrition assistance program benefits in the
9 form of an electronic benefit transfer card cannot use these benefits
10 to purchase food items from on-campus food retail establishments at
11 public or private institutions of higher education. On-campus food
12 retail establishments or point-of-sale locations such as cafeterias,
13 bookstores, and cafes do not qualify as retail food stores under the
14 federal food and nutrition act of 2008 because these on-campus food
15 retail establishments either do not sell enough categories of staple
16 foods or do not gross over fifty percent of their total sales from
17 staple foods.

18 (2) The legislature recognizes that students perform better in
19 classes on a full stomach, yet finds that students who receive
20 supplemental nutrition assistance program benefits have to travel off

1 campus to use their benefits at a participating vendor, incurring
2 extra travel costs and reduced study time.

3 (3) The legislature finds that this limitation on the use of
4 supplemental nutrition assistance program benefits is a barrier that
5 prevents public and private institutions of higher education from
6 providing equal access to food retail establishments on campuses to
7 all students, faculty, and staff regardless of economic status. The
8 legislature recognizes that eliminating this barrier is vital to
9 assuring equal access to every aspect of Washington's public and
10 private institutions of higher education.

11 (4) The legislature intends to have the department of social and
12 health services request a waiver from the United States department of
13 agriculture to allow students to use their electronic benefit
14 transfer card at on-campus food retail establishments at Washington's
15 public and private institutions of higher education.

16 NEW SECTION. **Sec. 2.** The department of social and health
17 services shall, in consultation with the state board for community
18 and technical colleges and the student achievement council, seek all
19 necessary exemptions and waivers from and amendments to federal
20 statutes, rules, and regulations. These exemption and waiver requests
21 shall seek to authorize Washington's public and private institutions
22 of higher education to accept supplemental nutrition assistance
23 program benefits in the form of an electronic benefit transfer card
24 at the institutions' on-campus food retail establishments. The
25 department shall report to the appropriate legislative committees
26 quarterly on the efforts to secure the federal changes to permit full
27 implementation of this act at the earliest possible date.

28 NEW SECTION. **Sec. 3.** In the event that the department of social
29 and health services is not able to obtain the necessary exemptions,
30 waivers, or amendments referred to in section 2 of this act before
31 January 1, 2019, this act expires on that date and has no further
32 force or effect.

33 NEW SECTION. **Sec. 4.** If any part of this act is found to be in
34 conflict with federal requirements that are a prescribed condition to
35 the allocation of federal funds to the state, the conflicting part of
36 this act is inoperative solely to the extent of the conflict and with
37 respect to the agencies directly affected, and this finding does not

1 affect the operation of the remainder of this act in its application
2 to the agencies concerned. Rules adopted under this act must meet
3 federal requirements that are a necessary condition to the receipt of
4 federal funds by the state.

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