

CERTIFICATION OF ENROLLMENT

SENATE BILL 5652

Chapter 379, Laws of 1995

(partial veto)

54th Legislature
1995 Regular Session

WELFARE FRAUD

EFFECTIVE DATE: 7/23/95

Passed by the Senate April 23, 1995
YEAS 44 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 23, 1995
YEAS 94 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved May 16, 1995, with the
exception of sections 3, 4, and 5,
which are vetoed.

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the
Senate of the State of Washington,
do hereby certify that the attached
is **SENATE BILL 5652** as passed by the
Senate and the House of
Representatives on the dates hereon
set forth.

MARTY BROWN

Secretary

FILED

May 16, 1995 - 11:29 a.m.

**Secretary of State
State of Washington**

SENATE BILL 5652

AS AMENDED BY THE HOUSE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Senators Gaspard, McDonald, Smith, Quigley, Wojahn, Hargrove, Heavey, Winsley, Sheldon, Fraser, Loveland, Fairley, Oke, McAuliffe, Spanel, Kohl, Franklin, Drew, Haugen, Owen, Bauer, Snyder, Deccio and Rasmussen

Read first time 01/30/95. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to welfare fraud; amending RCW 74.08.290 and
2 74.04.062; adding a new section to chapter 74.08 RCW; and creating new
3 sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that welfare fraud
6 damages the state's ability to use its limited resources to help those
7 in need who legitimately qualify for assistance. In addition, it
8 affects the credibility and integrity of the system, promoting disdain
9 for the law.

10 Persons convicted of committing such fraud should be barred, for a
11 period of time, from receiving additional public assistance.

12 **Sec. 2.** RCW 74.08.290 and 1959 c 26 s 74.08.290 are each amended
13 to read as follows:

14 The department is hereby authorized to suspend temporarily the
15 public assistance granted to any person for any period during which
16 such person is not in need thereof.

1 If a recipient is convicted of any crime or offense, and punished
2 by imprisonment, no payment shall be made during the period of
3 imprisonment.

4 If a recipient is convicted of unlawful practices under RCW
5 74.08.331, no payment shall be made for a period to be determined by
6 the court, but in no event less than six months upon the first
7 conviction and no less than twelve months for a second or subsequent
8 violation. This suspension of public assistance shall apply regardless
9 of whether the recipient is subject to complete or partial confinement
10 upon conviction, or incurs some lesser penalty.

11 **Sec. 3. RCW 74.04.062 and 1973 c 152 s 2 are each amended to read*
12 *as follows:*

13 *Upon written request of a person who has been properly identified*
14 *as an officer of the law with a felony arrest warrant or a properly*
15 *identified United States immigration official with a warrant for an*
16 *illegal alien the department shall disclose to such officer the current*
17 *address and location of the person properly described in the warrant.*
18 *However, this rule does not restrict in any manner whatsoever the*
19 *disclosure of address and location information by the department*
20 *pursuant to its implementation of the federal "systematic alien*
21 *verification for entitlements" program or pursuant to section 4 of this*
22 *act.*

23 **Sec. 3 was vetoed. See message at end of chapter.*

24 **NEW SECTION. Sec. 4. A new section is added to chapter 74.08 RCW*
25 *to read as follows:*

26 *The department shall implement the federal "systematic alien*
27 *verification for entitlements" program, the "SAVE" program. The*
28 *department shall:*

29 *(1) Coordinate with other state agencies, including but not limited*
30 *to the employment security department, to ensure that persons receiving*
31 *federal or state funds are eligible in terms of citizenship and*
32 *residency status;*

33 *(2) Post at every community service office a sign letting*
34 *applicants and recipients know that illegal aliens will be reported to*
35 *the United States immigration and naturalization service and that the*
36 *systematic alien verification for entitlements program is in use in the*
37 *office; and*

1 (3) *Systematically use all processes available to verify*
2 *eligibility in terms of the citizenship and residency status of*
3 *applicants and recipients for public assistance.*

4 *Sec. 4 was vetoed. See message at end of chapter.

5 *NEW SECTION. *Sec. 5. The department shall have the SAVE program*
6 *in full force and effect by September 30, 1995, and report to the*
7 *fiscal committees of the house of representatives and senate by*
8 *December 1, 1995, regarding the progress of implementation and outcomes*
9 *by region of the program.*

10 *Sec. 5 was vetoed. See message at end of chapter.

Passed the Senate April 23, 1995.

Passed the House April 23, 1995.

Approved by the Governor May 16, 1995, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State May 16, 1995.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to sections 3, 4,
3 and 5, Senate Bill No. 5652 entitled:

4 "AN ACT Relating to welfare fraud;"

5 Senate Bill No. 5652 addresses the issue of welfare fraud and
6 provides that persons convicted under RCW 74.08.331 will be ineligible
7 to receive public assistance for a specified period. Sections 3, 4,
8 and 5 require the Department of Social and Health Services (DSHS) to
9 reinstate the Systematic Alien Verification for Entitlement (SAVE)
10 program. DSHS's past experience with this program has established that
11 it is an inefficient and costly method of identifying fraudulent
12 applications for assistance. Furthermore, the federal government has,
13 through several agencies, come to the same conclusion: the SAVE program
14 costs about twice as much as is saved. This has been verified by the
15 General Accounting Office and DSHS. Washington is one of many states
16 that has decided this program is ineffective.

17 This state is in no way supportive of granting benefits to illegal
18 immigrants who are not eligible for assistance. DSHS currently has
19 effective mechanisms in place to identify fraud of this kind.
20 Elaborate systems exist throughout interagency agreements with the
21 Social Security Administration and the Immigration and Naturalization
22 Service which double check immigration status to ensure recipients are
23 eligible for service. The SAVE program will not serve to enhance those
24 efforts.

25 For these reasons, I have vetoed sections 3, 4, and 5 of Senate
26 Bill No. 5652.

27 With the exception of sections 3, 4, and 5, Senate Bill No. 5652 is
28 approved."