H-0039.1

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**HOUSE BILL 1372**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Shea, G. Hunt, Taylor, Scott, Magendanz, and McCaslin

AN ACT Relating to citizenship and immigration status requirements for enrollment in health care and human service programs; adding a new section to chapter 70.47 RCW; adding a new section to chapter 74.04 RCW; adding a new section to chapter 74.09 RCW; adding a new section to chapter 74.12 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that there are thousands of individuals enrolled in taxpayer-funded health care and human service programs who are not residents of the state of Washington, citizens of the United States, or qualified aliens as defined by federal law. Several state-only funded health care and human service programs have been created for individuals who do not meet federal citizenship or qualified alien requirements for similar programs that receive federal funding. Furthermore, taxpayer dollars are being used to track down and purchase citizenship or immigration documents, which should be the responsibility of the individual requesting services. It is therefore the intent of the legislature to limit enrollment in taxpayer-funded health care and human service programs to individuals who are citizens of the United States or meet the definition of a qualified alien.

NEW SECTION. **Sec.**  A new section is added to chapter 70.47 RCW to read as follows:

(1) No person is eligible for benefits under this chapter unless he or she is a Washington resident at the time of application, maintains Washington residency continuously while receiving benefits, and is either:

(a) A citizen of the United States by birth or naturalization; or

(b) A qualified alien who either:

(i) Entered the United States on or before August 21, 1996;

(ii) Entered the United States after August 21, 1996, and has maintained his or her status as a qualified alien for a period of at least five years beginning on his or her date of entry, except for a Cuban or Haitian entrant as defined in section 501(e)(2) of the refugee education assistance act of 1980 (P.L. 96-422);

(iii) Entered the United States as a member of one of the exception groups under P.L. 104-193, section 412, in which case the person must be determined eligible in accordance with P.L. 104-193; or

(iv) Meets the definition of a "qualified alien" as provided by the attorney general of the United States under the authority of P.L. 104-208, section 501.

(2)(a) The department of social and health services shall accept the following documents as acceptable proof of eligibility under this subsection:

(i) A United States passport or passport card;

(ii) An enhanced driver's license or state identification card;

(iii) A certificate of naturalization;

(iv) A certificate of citizenship;

(v) A tribal membership card with a photograph;

(vi) An official state or county issued birth certificate;

(vii) A certification of birth issued by the federal department of state;

(viii) A department of health printout for Washington state birth;

(ix) A United States citizen identification card; or

(x) A final adoption decree in the United States.

(b) No state resources shall be used for investigating the eligibility of an applicant who has not submitted satisfactory documentation. No state resources shall be used to purchase satisfactory documentation for an applicant. The department may provide applicants with a list of community resources that help applicants locate and obtain satisfactory documentation.

(3) For the purposes of this section, "qualified alien" has the same meaning as provided in the federal personal responsibility and work opportunity reconciliation act of 1996 (P.L. 104-193).

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

(1) For purposes of the food stamp program established in RCW 74.04.500 through 74.04.535, no person is eligible for benefits under the program unless he or she is a Washington resident at the time of application, maintains Washington residency continuously while receiving benefits, and is either:

(a) A citizen of the United States by birth or naturalization; or

(b) A qualified alien who either:

(i) Entered the United States on or before August 21, 1996;

(ii) Entered the United States after August 21, 1996, and has maintained his or her status as a qualified alien for a period of at least five years beginning on his or her date of entry, except for a Cuban or Haitian entrant as defined in section 501(e)(2) of the refugee education assistance act of 1980 (P.L. 96-422);

(iii) Entered the United States as a member of one of the exception groups under P.L. 104-193, section 412, in which case the person must be determined eligible in accordance with P.L. 104-193; or

(iv) Meets the definition of a "qualified alien" as provided by the attorney general of the United States under the authority of P.L. 104-208, section 501.

(2)(a) The department shall accept the following documents as acceptable proof of eligibility under this subsection:

(i) A United States passport or passport card;

(ii) An enhanced driver's license or state identification card;

(iii) A certificate of naturalization;

(iv) A certificate of citizenship;

(v) A tribal membership card with a photograph;

(vi) An official state or county issued birth certificate;

(vii) A certification of birth issued by the federal department of state;

(viii) A department of health printout for Washington state birth;

(ix) A United States citizen identification card; or

(x) A final adoption decree in the United States.

(b) No state resources shall be used for investigating the eligibility of an applicant who has not submitted satisfactory documentation. No state resources shall be used to purchase satisfactory documentation for an applicant. The department may provide applicants with a list of community resources that help applicants locate and obtain satisfactory documentation.

(3) For the purposes of this section, "qualified alien" has the same meaning as provided in the federal personal responsibility and work opportunity reconciliation act of 1996 (P.L. 104-193).

NEW SECTION. **Sec.**  A new section is added to chapter 74.09 RCW to read as follows:

(1) No person is eligible for benefits under this chapter unless he or she is a Washington resident at the time of application, maintains Washington residency continuously while receiving benefits, and is either:

(a) A citizen of the United States by birth or naturalization; or

(b) A qualified alien who either:

(i) Entered the United States on or before August 21, 1996;

(ii) Entered the United States after August 21, 1996, and has maintained his or her status as a qualified alien for a period of at least five years beginning on his or her date of entry, except for a Cuban or Haitian entrant as defined in section 501(e)(2) of the refugee education assistance act of 1980 (P.L. 96-422);

(iii) Entered the United States as a member of one of the exception groups under P.L. 104-193, section 412, in which case the person must be determined eligible in accordance with P.L. 104-193; or

(iv) Meets the definition of a "qualified alien" as provided by the attorney general of the United States under the authority of P.L. 104-208, section 501.

(2)(a) The department shall accept the following documents as acceptable proof of eligibility under this subsection:

(i) A United States passport or passport card;

(ii) An enhanced driver's license or state identification card;

(iii) A certificate of naturalization;

(iv) A certificate of citizenship;

(v) A tribal membership card with a photograph;

(vi) An official state or county issued birth certificate;

(vii) A certification of birth issued by the federal department of state;

(viii) A department of health printout for Washington state birth;

(ix) A United States citizen identification card; or

(x) A final adoption decree in the United States.

(b) No state resources shall be used for investigating the eligibility of an applicant who has not submitted satisfactory documentation. No state resources shall be used to purchase satisfactory documentation for an applicant. The department may provide applicants with a list of community resources that help applicants locate and obtain satisfactory documentation.

(3) For the purposes of this section, "qualified alien" has the same meaning as provided in the federal personal responsibility and work opportunity reconciliation act of 1996 (P.L. 104-193).

NEW SECTION. **Sec.**  A new section is added to chapter 74.12 RCW to read as follows:

(1) No person is eligible for benefits under this chapter unless he or she is a Washington resident at the time of application, maintains Washington residency continuously while receiving benefits, and is either:

(a) A citizen of the United States by birth or naturalization; or

(b) A qualified alien who either:

(i) Entered the United States on or before August 21, 1996;

(ii) Entered the United States after August 21, 1996, and has maintained his or her status as a qualified alien for a period of at least five years beginning on his or her date of entry, except for a Cuban or Haitian entrant as defined in section 501(e)(2) of the refugee education assistance act of 1980 (P.L. 96-422);

(iii) Entered the United States as a member of one of the exception groups under P.L. 104-193, section 412, in which case the person must be determined eligible in accordance with P.L. 104-193; or

(iv) Meets the definition of a "qualified alien" as provided by the attorney general of the United States under the authority of P.L. 104-208, section 501.

(2)(a) The department shall accept the following documents as acceptable proof of eligibility under this subsection:

(i) A United States passport or passport card;

(ii) An enhanced driver's license or state identification card;

(iii) A certificate of naturalization;

(iv) A certificate of citizenship;

(v) A tribal membership card with a photograph;

(vi) An official state or county issued birth certificate;

(vii) A certification of birth issued by the federal department of state;

(viii) A department of health printout for Washington state birth;

(ix) A United States citizen identification card; or

(x) A final adoption decree in the United States.

(b) No state resources shall be used for investigating the eligibility of an applicant who has not submitted satisfactory documentation. No state resources shall be used to purchase satisfactory documentation for an applicant. The department may provide applicants with a list of community resources that help applicants locate and obtain satisfactory documentation.

(3) For the purposes of this section, "qualified alien" has the same meaning as provided in the federal personal responsibility and work opportunity reconciliation act of 1996 (P.L. 104-193).

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