S-0136.2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5440**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Zeiger, Darneille, O'Ban, Walsh, Miloscia, Hunt, Carlyle, and Warnick

AN ACT Relating to establishing the legislative-executive WorkFirst poverty reduction oversight task force; amending RCW 74.08A.260; adding new sections to chapter 74.08A RCW; and creating a new section.

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

NEW SECTION. **Sec.**  (1) The legislature finds that intergenerational poverty, which passes from parents to children, should be distinguished from situational poverty, which occurs after an event like losing employment. Intergenerational poverty can affect the lives of many future children and generations without the development of specific strategies to stop this cycle.

(2) The legislature finds that it is necessary to bring together state agencies and other stakeholders for the purposes of policy and program development to address intergenerational poverty and to develop specific strategies to provide families the support they need to overcome a history of poverty.

(3) The legislature finds that the legislative-executive WorkFirst oversight task force has recommended that its scope be modified to include poverty reduction in order to provide a renewed focus on the underlying causes of intergenerational poverty in Washington. Therefore, the legislature intends to create a legislative-executive WorkFirst poverty reduction oversight task force and an intergenerational poverty advisory committee in order to lay the groundwork in Washington for advancing intergenerational prosperity and reducing poverty.

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

The definitions in this section apply throughout RCW 74.08A.260 and sections 4 and 5 of this act unless the context clearly requires otherwise.

(1) "Advisory committee" means the intergenerational poverty advisory committee.

(2) "Cycle of poverty" or "poverty cycle" means the set of factors or events by which the long-term poverty of a person is likely to continue and be experienced by each child of the person when the child becomes an adult unless there is outside intervention.

(3) "Intergenerational poverty" means poverty in which two or more successive generations of a family continue in the cycle of poverty and governmental dependence, and is not situational poverty.

(4) "Task force" means the legislative-executive WorkFirst poverty reduction oversight task force.

**Sec.**  RCW 74.08A.260 and 2011 1st sp.s. c 42 s 2 are each amended to read as follows:

(1) Each recipient shall be assessed after determination of program eligibility and before referral to job search. Assessments shall be based upon factors that are critical to obtaining employment, including but not limited to education, availability of child care, history of family violence, history of substance abuse, and other factors that affect the ability to obtain employment. Assessments may be performed by the department or by a contracted entity. The assessment shall be based on a uniform, consistent, transferable format that will be accepted by all agencies and organizations serving the recipient.

(2) Based on the assessment, an individual responsibility plan shall be prepared that: (a) Sets forth an employment goal and a plan for maximizing the recipient's success at meeting the employment goal; (b) considers WorkFirst educational and training programs from which the recipient could benefit; (c) contains the obligation of the recipient to participate in the program by complying with the plan; (d) moves the recipient into full-time WorkFirst activities as quickly as possible; and (e) describes the services available to the recipient either during or after WorkFirst to enable the recipient to obtain and keep employment and to advance in the workplace and increase the recipient's wage earning potential over time.

(3) Recipients who are not engaged in work and work activities, and do not qualify for a good cause exemption under RCW 74.08A.270, shall engage in self-directed service as provided in RCW 74.08A.330.

(4) If a recipient refuses to engage in work and work activities required by the department, the family's grant shall be reduced by the recipient's share, and may, if the department determines it appropriate, be terminated.

(5) The department may waive the penalties required under subsection (4) of this section, subject to a finding that the recipient refused to engage in work for good cause provided in RCW 74.08A.270.

(6) In consultation with the recipient, the department or contractor shall place the recipient into a work activity that is available in the local area where the recipient resides.

(7) Assessments conducted under this section shall include a consideration of the potential benefit to the recipient of engaging in financial literacy activities. The department shall consider the options for financial literacy activities available in the community, including information and resources available through the financial education public-private partnership created under RCW 28A.300.450. The department may authorize up to ten hours of financial literacy activities as a core activity or an optional activity under WorkFirst.

(8)(a) ((~~From July 1, 2011, through June 30, 2012, subsections (2) through (6) of this section are suspended for a recipient who is a parent or other relative personally providing care for one child under the age of two years, or two or more children under the age of six years. This suspension applies to both one and two parent families. However, both parents in a two-parent family cannot use the suspension during the same month. Beginning July 1, 2012, the department shall phase in the work activity requirements that were suspended, beginning with those recipients closest to reaching the sixty-month limit of receiving temporary assistance for needy families under RCW 74.08A.010(1). The phase in shall be accomplished so that a fairly equal number of recipients required to participate in work activities are returned to those activities each month until the total number required to participate is participating by June 30, 2013. Nothing in this subsection shall prevent a recipient from participating in the WorkFirst program on a voluntary basis. Recipients who participate in the WorkFirst program on a voluntary basis shall be provided an option to participate in the program on a part-time basis, consisting of sixteen or fewer hours of activities per week. Recipients also may participate voluntarily on a full-time basis.~~

~~(b)(i) The period of suspension of work activities under this subsection provides an opportunity for the legislative and executive branches to oversee redesign of the WorkFirst program. To realize this opportunity, both during the period of suspension and following reinstatement of work activity requirements as redesign is being implemented,~~)) A legislative-executive WorkFirst poverty reduction oversight task force is established((~~, with members as provided in this subsection (8)(b)~~)).

((~~(ii)~~)) (b) The primary goals of the task force are to:

(i) Reduce the overall percentage of people living below two hundred percent of the federal poverty level by fifty percent by the year 2025. The task force must work toward this goal in a manner that seeks to eliminate disparities including, but not limited to, disparities by race, ethnicity, sex, gender, zip code, immigration status, age, household type, and disability status; and

(ii) Prevent and address adverse childhood experiences and the trauma of children who are living in poverty through the provision of effective services.

(c) The task force shall include diverse, statewide representation and its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state. The task force shall consist of the following members:

(i) The president of the senate shall appoint two members from each of the two largest caucuses of the senate.

((~~(iii)~~)) (ii) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives.

((~~(iv)~~)) (iii) The governor shall appoint members representing the department of social and health services, the department of early learning, the department of commerce, the employment security department, ((~~the office of financial management~~)) the office of the superintendent of public instruction, the department of corrections, and the state board for community and technical colleges. The governor shall direct representatives from the department of health, the health care authority, and the workforce training and education coordinating board to serve in an advisory capacity to the task force.

(iv) The governor shall request participation by representatives of tribal governments.

(v) The cochairs of the intergenerational poverty advisory committee created in section 4 of this act shall serve as voting members of the task force.

((~~(v)~~)) (d) The task force shall choose cochairs, one from among the legislative members and one from among the executive branch members. The legislative members shall convene the initial meeting of the task force.

((~~(c)~~)) (e) The task force shall:

(i) Oversee the partner agencies' ((~~implementation of the redesign~~)) operation of the WorkFirst program and operation of the temporary assistance for needy families program to ensure that the programs are achieving desired outcomes for their clients;

(ii) Determine evidence-based outcome measures for the WorkFirst program, including measures related to equitably serving the needs of historically underrepresented populations, such as English language learners, immigrants, refugees, and other diverse communities;

(iii) Develop accountability measures for WorkFirst recipients and the state agencies responsible for their progress toward self-sufficiency;

(iv) Review existing statutes, administrative codes, and budget appropriations for their impact on advancing the goal of fifty percent poverty reduction by 2025;

(v) Collaborate with the advisory committee created in section 4 of this act to develop strategies to reduce poverty and prevent adverse childhood experiences, and monitor the impact of these strategies;

(vi) Seek input on best practices from service providers, community-based organizations, legislators, state agencies, stakeholders, the business community, and subject matter experts;

(vii) Collaborate with partner agencies and the advisory committee to share and analyze data and information collected under section 5 of this act and from other sources regarding intergenerational poverty in the state, with a primary focus on data and information regarding children who are at risk of continuing the cycle of poverty and welfare dependency unless outside intervention is made;

(viii) Make recommendations to the governor and the legislature regarding:

(A) Policies to improve the effectiveness of the WorkFirst program over time;

(B) Early identification of those recipients most likely to experience long stays on the program and strategies to improve their ability to achieve progress toward self-sufficiency; and

(C) Necessary changes to the program, including taking into account federal changes to the temporary assistance for needy families program((~~.~~));

((~~(d)~~)) (ix) Direct the department of social and health services to develop a five-year and ten-year plan to address intergenerational poverty, subject to oversight and approval by the task force. Upon approval by the task force, the department must submit these plans to the governor and the appropriate committees of the legislature by December 1, 2018; and

(x) Beginning December 1, 2019, and each December 1st thereafter and in collaboration with the advisory committee, provide an annual report to the governor and the appropriate committees of the legislature on the progress being made towards the goals identified in this section.

(f) The partner agencies must provide the task force with regular reports on:

(i) The partner agencies' progress toward meeting the outcome and performance measures established under ((~~(c)~~)) (e) of this subsection;

(ii) Caseload trends and program expenditures, and the impact of those trends and expenditures on client services, including services to historically underrepresented populations; and

(iii) The characteristics of families who have been unsuccessful on the program and have lost their benefits either through sanction or the sixty-month time limit.

((~~(e)~~)) (g) Staff support for the task force must be provided by senate committee services, the house of representatives office of program research, and the state agency members of the task force.

((~~(f)~~)) (h) The task force shall meet on a quarterly basis ((~~beginning September 2011~~)), or as determined necessary by the task force cochairs.

((~~(g)~~)) (i) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(j) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(k) During its tenure, the state agency members of the task force shall respond in a timely manner to data requests from the cochairs.

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

(1) To assist the task force established in RCW 74.08A.260, there is created the intergenerational poverty advisory committee.

(2) The advisory committee must include diverse, statewide representation from public, nonprofit, and for-profit entities. The committee membership must reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(3) Members of the advisory committee are appointed by the secretary, with the approval of the task force.

(4) The advisory committee must include representatives from:

(a) Advocacy groups that focus on childhood poverty issues;

(b) Advocacy groups that focus on education issues;

(c) Academic experts in childhood poverty or education issues;

(d) Faith-based organizations that address childhood poverty or education issues;

(e) Tribal governments;

(f) Families impacted by poverty;

(g) Local government representatives that address childhood poverty or education issues;

(h) The business community; and

(i) The commission on African-American affairs, the state commission on Hispanic affairs, the state commission on Asian Pacific American affairs, and the governor's office of Indian affairs.

(5) Subject to subsection (6) of this section, each member of the advisory committee is appointed for a four-year term unless a member is appointed to complete an unexpired term.

(6) The secretary may adjust the length of term at the time of appointment or reappointment so that approximately one-half of the advisory committee is appointed every two years.

(7) The secretary may remove an advisory committee member:

(a) If the member is unable or unwilling to carry out the member's assigned responsibilities; or

(b) For good cause.

(8) If a vacancy occurs in the advisory committee membership for any reason, a replacement may be appointed for the unexpired term.

(9) The advisory committee shall choose cochairs from among its membership. The secretary shall convene the initial meeting of the advisory committee.

(10) A majority of the advisory committee constitutes a quorum of the advisory committee at any meeting and the action of the majority of members present is the action of the advisory committee.

(11) The advisory committee shall:

(a) Meet quarterly at the request of the task force cochairs or the cochairs of the advisory committee;

(b) Make recommendations to the task force on how the task force and the state can effectively address the needs of children affected by intergenerational poverty and achieve the purposes and duties of the task force as described in RCW 74.08A.260;

(c) Ensure that the advisory committee's recommendations to the task force are supported by verifiable data, including data gathered under section 5 of this act; and

(d) Gather input from diverse communities about the impact of intergenerational poverty on outcomes such as education, health care, employment, involvement in the child welfare system, and other related areas.

(12) The department shall provide staff support to the advisory committee.

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

(1) The department may establish and maintain a system to track intergenerational poverty which has the ability to:

(a) Identify groups that have a high risk of experiencing intergenerational poverty;

(b) Identify incidents, patterns, and trends that explain or contribute to intergenerational poverty;

(c) Assist case workers, social scientists, and government officials in the study and development of effective and efficient plans and programs to help individuals and families in the state to break the cycle of poverty; and

(d) Gather and track available local, state, and national data on:

(i) Official poverty rates;

(ii) Child poverty rates;

(iii) Years spent by individuals in childhood poverty;

(iv) Years spent by individuals in adult poverty; and

(v) Related poverty information.

(2) In implementing the intergenerational poverty tracking system, the department is encouraged to:

(a) Use available data in the tracking system, including public assistance data, census data, and other data made available to the department;

(b) Develop and implement methods to integrate, compare, analyze, and validate the data for the purposes described in subsection (1) of this section; and

(c) Include in the annual written report described in RCW 74.08A.260, a report on the data, findings, and potential uses of the tracking system.

(3) The tracking system must protect the privacy of individuals living in poverty by using and distributing data within the tracking system in compliance with RCW 74.04.060, and other applicable state and federal laws.

**--- END ---**