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HOUSE BILL 2830

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State of Washington

66th Legislature

2020 Regular Session

By Representatives Gregerson, Eslick, Dent, and Senn

Read first time 01/24/20. Referred to Committee on Human Services & Early Learning.

1 AN ACT Relating to updating restrictions on electronic benefit  
2 cards; and amending RCW 74.08.580.

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

4 **Sec. 1.** RCW 74.08.580 and 2012 c 253 s 2 are each amended to  
5 read as follows:

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

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

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

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

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

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

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

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

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

8 (a) Taverns licensed under RCW 66.24.330;

9 (b) Beer/wine specialty stores licensed under RCW 66.24.371  
10 except if the licensee is an authorized supplemental nutrition  
11 assistance program or women, infants, and children retailer;

12 (c) Nightclubs licensed under RCW 66.24.600;

13 (~~Contract liquor stores defined under RCW 66.04.010;~~

14 ~~e~~) Bail bond agencies regulated under chapter 18.185 RCW;

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

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

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

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

24 (3) The department must notify the licensing authority of any  
25 business listed in subsection (2) of this section that such business  
26 has continued to allow the use of the electronic benefit card in  
27 violation of subsection (2) of this section.

28 (4) Only the recipient, an eligible member of the household, or  
29 the recipient's authorized representative may use an electronic  
30 benefit card or the benefit and such use shall only be for the  
31 respective benefit program purposes. Unless a recipient's family  
32 member is an eligible member of the household, the recipient's  
33 authorized representative, an alternative cardholder, or has been  
34 assigned as a protective payee, no family member may use the benefit  
35 card. The recipient shall not sell, or attempt to sell, exchange, or  
36 donate an electronic benefit card or any benefits to any other person  
37 or entity.

38 (5) The first violation of subsection (1) of this section by a  
39 recipient constitutes a class 4 civil infraction under RCW 7.80.120.

1 Second and subsequent violations of subsection (1) of this section  
2 constitute a class 3 civil infraction under RCW 7.80.120.

3 (a) The department shall notify, in writing, all recipients of  
4 electronic benefit cards that any violation of subsection (1) of this  
5 section could result in legal proceedings and forfeiture of all cash  
6 public assistance.

7 (b) Whenever the department receives notice that a person has  
8 violated subsection (1) of this section, the department shall notify  
9 the person in writing that the violation could result in legal  
10 proceedings and forfeiture of all cash public assistance.

11 (c) The department shall assign a protective payee to the person  
12 receiving public assistance who violates subsection (1) of this  
13 section two or more times.

14 (6) In assigning a personal identification number to an  
15 electronic benefit card, the department shall not routinely use any  
16 sequence of numbers that appear on the card except in circumstances  
17 resulting from in-state or national disasters. Personal  
18 identification numbers assigned to electronic benefit cards issued to  
19 support the distribution of benefits when there is a disaster may  
20 include a sequence of numbers that appears on the card.

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