
SENATE BILL 6625

State of Washington

66th Legislature

2020 Regular Session

By Senators Nguyen, Lovelett, and Frockt

Read first time 01/27/20. Referred to Committee on Human Services,
Reentry & Rehabilitation.

1 AN ACT Relating to creating a supports and basic income pilot
2 program; amending RCW 74.04.005 and 43.185C.220; adding a new section
3 to chapter 74.62 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that economic
6 inequality continues to widen the gap between the top few earners and
7 working and low-income families. The legislature recognizes that
8 wages have failed to keep pace with cost of living. The legislature
9 recognizes both the value and cost that automation, innovation, and
10 traditional industry disruption have had and will continue to have on
11 Washington's economy. The legislature finds that while Washington has
12 been nationally ranked the top economy and best state for business,
13 Washington has fallen behind further in economic inequality in part
14 by displacing a significant number of jobs in transportation, food
15 service, tourism, and retail sectors, among others.

16 The legislature finds that as industry and technology transforms
17 the workplace, Washington's human services and public benefits
18 support system too must adapt to a changing economy. The legislature
19 finds that programs such as job retraining or the ability to work
20 part time and maintain a basic standard of living meet a current and
21 future need by modernizing work and the workforce. The legislature

1 finds that while universal basic income studies have been conducted
2 by other jurisdictions, no major study has analyzed the use of a
3 basic income in addition to access to housing and job training.

4 The legislature declares that all Washington families deserve
5 basic financial security and that it is the goal of the state of
6 Washington to ensure economic sustainability for all families. The
7 legislature therefore intends to enact a pilot program of basic
8 income and supports to provide a cohort of low-income individuals
9 engaged in job training programs with access to housing and a cash
10 stipend for essential needs to better stabilize and access
11 opportunity. The legislature intends to study the outcomes of the
12 program and to analyze the program's resiliency and ability to help
13 Washingtonians adapt to a fast-changing economy.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.62
15 RCW to read as follows:

16 (1) The supports and basic income pilot program is created within
17 the department.

18 (2) Eligibility for the supports and basic income pilot program
19 shall be determined as follows:

20 (a) An eligible participant is a person over the age of eighteen
21 and eligible for the Washington basic food program, as provided for
22 in rule;

23 (b) For the purpose of this pilot, the cash assistance provided
24 in shall not impact eligibility for other income or means tested
25 programs including, but not limited to; the Washington basic food
26 program, as provided for in rule; the aged, blind and disabled
27 assistance program, as provided for in RCW 74.62.030; the essential
28 needs and housing program, as provided for in RCW 43.185C.220; and
29 temporary assistance for needy families, as provided for in RCW
30 74.08.025;

31 (c) The department shall randomly select a set of five hundred
32 eligible participants that together proportionally represent eastern
33 and western Washington; and

34 (d) The department has the discretion to develop other
35 eligibility criteria for the supports and basic income pilot program.

36 (3) Eligible participants of the supports and basic income pilot
37 program shall be eligible for both the basic food and training
38 program, as provided for in rule, and the essential needs and housing
39 support program, as provided for in RCW 43.185C.220.

- 1 (4) The department shall:
- 2 (a) Begin providing eligible participants monthly cash assistance
3 of five hundred dollars by January 1, 2021, through June 30, 2022,
4 assist eligible participants with access to the basic food and
5 training program as provided for in rule, and the essential needs and
6 housing support program, as provided for in RCW 43.185C.220;
- 7 (b) Collect data from participants including, but not limited to:
- 8 (i) The number of persons served;
- 9 (ii) The participant's age, race, and gender identity;
- 10 (iii) How the cash assistance is spent;
- 11 (iv) Whether there is a change in the participant's physical and
12 mental health;
- 13 (v) Whether there is a change in the participant's financial
14 health;
- 15 (vi) The impact of having a basic income on other members of the
16 participant's household;
- 17 (vii) Whether there is a change in the participant's employment,
18 including increased employment, unemployment, employment with higher
19 wages or better benefits and increased future tax contributions
20 resulting therefrom; and
- 21 (viii) Other outcomes as determined by the department; and
- 22 (c) Report on data described in this subsection along with
23 recommendations for modifications or expansion of this pilot to the
24 relevant committees of the legislature by November 1, 2022.

25 **Sec. 3.** RCW 74.04.005 and 2018 c 40 s 1 are each amended to read
26 as follows:

27 For the purposes of this title, unless the context indicates
28 otherwise, the following definitions shall apply:

29 (1) "Aged, blind, or disabled assistance program" means the
30 program established under RCW 74.62.030.

31 (2) "Applicant" means any person who has made a request, or on
32 behalf of whom a request has been made, to any county or local office
33 for assistance.

34 (3) "Authority" means the health care authority.

35 (4) "County or local office" means the administrative office for
36 one or more counties or designated service areas.

37 (5) "Department" means the department of social and health
38 services.

39 (6) "Director" means the director of the health care authority.

1 (7) "Essential needs and housing support program" means the
2 program established in RCW 43.185C.220.

3 (8) "Federal aid assistance" means the specific categories of
4 assistance for which provision is made in any federal law existing or
5 hereafter passed by which payments are made from the federal
6 government to the state in aid or in respect to payment by the state
7 for public assistance rendered to any category of needy persons for
8 which provision for federal funds or aid may from time to time be
9 made, or a federally administered needs-based program.

10 (9) "Income" means:

11 (a) All appreciable gains in real or personal property (cash or
12 kind) or other assets, which are received by or become available for
13 use and enjoyment by an applicant or recipient during the month of
14 application or after applying for or receiving public assistance. The
15 department may by rule and regulation exempt income received by an
16 applicant for or recipient of public assistance which can be used by
17 him or her to decrease his or her need for public assistance or to
18 aid in rehabilitating him or her or his or her dependents, but such
19 exemption shall not, unless otherwise provided in this title, exceed
20 the exemptions of resources granted under this chapter to an
21 applicant for public assistance. In addition, for cash assistance the
22 department may disregard income pursuant to RCW 74.08A.230 and
23 74.12.350. Furthermore, any cash assistance a person receives under
24 section 2 of this act shall not be considered in determining a
25 person's initial or ongoing eligibility for public assistance during
26 the supports and basic income pilot program.

27 (b) If, under applicable federal requirements, the state has the
28 option of considering property in the form of lump sum compensatory
29 awards or related settlements received by an applicant or recipient
30 as income or as a resource, the department shall consider such
31 property to be a resource.

32 (10) "Need" means the difference between the applicant's or
33 recipient's standards of assistance for himself or herself and the
34 dependent members of his or her family, as measured by the standards
35 of the department, and value of all nonexempt resources and nonexempt
36 income received by or available to the applicant or recipient and the
37 dependent members of his or her family.

38 (11) "Public assistance" or "assistance" means public aid to
39 persons in need thereof for any cause, including services, medical

1 care, assistance grants, disbursing orders, work relief, benefits
2 under RCW 74.62.030 and 43.185C.220, and federal aid assistance.

3 (12) "Recipient" means any person receiving assistance and in
4 addition those dependents whose needs are included in the recipient's
5 assistance.

6 (13) "Resource" means any asset, tangible or intangible, owned by
7 or available to the applicant at the time of application, which can
8 be applied toward meeting the applicant's need, either directly or by
9 conversion into money or its equivalent. The department may by rule
10 designate resources that an applicant may retain and not be
11 ineligible for public assistance because of such resources. Exempt
12 resources shall include, but are not limited to:

13 (a) A home that an applicant, recipient, or their dependents is
14 living in, including the surrounding property;

15 (b) Household furnishings and personal effects;

16 (c) One motor vehicle, other than a motor home, used and useful
17 having an equity value not to exceed ten thousand dollars;

18 (d) A motor vehicle necessary to transport a household member
19 with a physical disability. This exclusion is limited to one vehicle
20 per person with a physical disability;

21 (e) All other resources, including any excess of values exempted,
22 not to exceed six thousand dollars or other limit as set by the
23 department, to be consistent with limitations on resources and
24 exemptions necessary for federal aid assistance;

25 (f) Applicants for or recipients of benefits under RCW 74.62.030
26 and 43.185C.220 shall have their eligibility based on resource
27 limitations consistent with the temporary assistance for needy
28 families program rules adopted by the department; and

29 (g) If an applicant for or recipient of public assistance
30 possesses property and belongings in excess of the ceiling value,
31 such value shall be used in determining the need of the applicant or
32 recipient, except that: (i) The department may exempt resources or
33 income when the income and resources are determined necessary to the
34 applicant's or recipient's restoration to independence, to decrease
35 the need for public assistance, or to aid in rehabilitating the
36 applicant or recipient or a dependent of the applicant or recipient;
37 and (ii) the department may provide grant assistance for a period not
38 to exceed nine months from the date the agreement is signed pursuant
39 to this section to persons who are otherwise ineligible because of

1 excess real property owned by such persons when they are making a
2 good faith effort to dispose of that property if:

3 (A) The applicant or recipient signs an agreement to repay the
4 lesser of the amount of aid received or the net proceeds of such
5 sale;

6 (B) If the owner of the excess property ceases to make good faith
7 efforts to sell the property, the entire amount of assistance may
8 become an overpayment and a debt due the state and may be recovered
9 pursuant to RCW 43.20B.630;

10 (C) Applicants and recipients are advised of their right to a
11 fair hearing and afforded the opportunity to challenge a decision
12 that good faith efforts to sell have ceased, prior to assessment of
13 an overpayment under this section; and

14 (D) At the time assistance is authorized, the department files a
15 lien without a sum certain on the specific property.

16 (14) "Secretary" means the secretary of social and health
17 services.

18 (15) "Standards of assistance" means the level of income required
19 by an applicant or recipient to maintain a level of living specified
20 by the department.

21 (16) For purposes of determining eligibility for public
22 assistance and participation levels in the cost of medical care, the
23 department shall exempt restitution payments made to people of
24 Japanese and Aleut ancestry pursuant to the Civil Liberties Act of
25 1988 and the Aleutian and Pribilof Island Restitution Act passed by
26 congress, P.L. 100-383, including all income and resources derived
27 therefrom.

28 (17) In the construction of words and phrases used in this title,
29 the singular number shall include the plural, the masculine gender
30 shall include both the feminine and neuter genders, and the present
31 tense shall include the past and future tenses, unless the context
32 thereof shall clearly indicate to the contrary.

33 **Sec. 4.** RCW 43.185C.220 and 2015 c 128 s 5 are each amended to
34 read as follows:

35 (1) The department shall distribute funds for the essential needs
36 and housing support program established under this section in a
37 manner consistent with the requirements of this section and the
38 biennial operating budget. The first distribution of funds must be
39 completed by September 1, 2011. Essential needs or housing support is

1 only for persons found eligible for such services under RCW 74.04.805
2 and is not considered an entitlement.

3 (2) The department shall distribute funds appropriated for the
4 essential needs and housing support program in the form of grants to
5 designated essential needs support and housing support entities
6 within each county. The department shall not distribute any funds
7 until it approves the expenditure plan submitted by the designated
8 essential needs support and housing support entities. The amount of
9 funds to be distributed pursuant to this section shall be designated
10 in the biennial operating budget. For the sole purpose of meeting the
11 initial distribution of funds date, the department may distribute
12 partial funds upon the department's approval of a preliminary
13 expenditure plan. The department shall not distribute the remaining
14 funds until it has approved a final expenditure plan.

15 (3) (a) During the 2011-2013 biennium, in awarding housing support
16 that is not funded through the contingency fund in this subsection,
17 the designated housing support entity shall provide housing support
18 to clients who are homeless persons as defined in RCW 43.185C.010. As
19 provided in the biennial operating budget for the 2011-2013 biennium,
20 a contingency fund shall be used solely for those clients who are at
21 substantial risk of losing stable housing or at substantial risk of
22 losing one of the other services defined in RCW 74.62.010(6). For
23 purposes of this chapter, "substantial risk" means the client has
24 provided documentation that he or she will lose his or her housing
25 within the next thirty days or that the services will be discontinued
26 within the next thirty days.

27 (b) After July 1, 2013, the designated housing support entity
28 shall give first priority to clients who are homeless persons as
29 defined in RCW 43.185C.010 and second priority to clients who would
30 be at substantial risk of losing stable housing without housing
31 support.

32 (4) For each county, the department shall designate an essential
33 needs support entity and a housing support entity that will begin
34 providing these supports to medical care services program recipients
35 on November 1, 2011. Essential needs and housing support entities are
36 not required to provide assistance to every person referred to the
37 local entity or who meets the priority standards in subsection (3) of
38 this section.

39 (a) Each designated entity must be a local government or
40 community-based organization, and may administer the funding for

1 essential needs support, housing support, or both. Designated
2 entities have the authority to subcontract with qualified entities.
3 Upon request, and the approval of the department, two or more
4 counties may combine resources to more effectively deliver services.

5 (b) The department's designation process must include a review of
6 proficiency in managing housing or human services programs when
7 designating housing support entities.

8 (c) Within a county, if the department directly awards separate
9 grants to the designated housing support entity and the designated
10 essential needs support entity, the department shall determine the
11 amount allocated for essential needs support as directed in the
12 biennial operating budget.

13 (5) (a) Essential needs and housing support entities must use
14 funds distributed under this section as flexibly as is practicable to
15 provide essential needs items and housing support to recipients of
16 the essential needs and housing support program, subject to the
17 requirements of this section.

18 (b) Benefits provided under the essential needs and housing
19 support program shall not be provided to recipients in the form of
20 cash assistance.

21 (c) The department may move funds between entities or between
22 counties to reflect actual caseload changes. In doing so, the
23 department must: (i) Develop a process for reviewing the caseload of
24 designated essential needs and housing support entities, and for
25 redistributing grant funds from those entities experiencing reduced
26 actual caseloads to those with increased actual caseloads; and (ii)
27 inform all designated entities of the redistribution process. Savings
28 resulting from program caseload attrition from the essential needs
29 and housing support program shall not result in increased per-client
30 expenditures.

31 (d) Essential needs and housing support entities must partner
32 with other public and private organizations to maximize the
33 beneficial impact of funds distributed under this section, and should
34 attempt to leverage other sources of public and private funds to
35 serve essential needs and housing support recipients. Funds
36 appropriated in the operating budget for essential needs and housing
37 support must be used only to serve persons eligible to receive
38 services under that program.

39 (6) The department shall use no more than five percent of the
40 funds for administration of the essential needs and housing support

1 program. Each essential needs and housing support entity shall use no
2 more than seven percent of the funds for administrative expenses.

3 (7) The department shall:

4 (a) Require housing support entities to enter data into the
5 homeless client management information system;

6 (b) Require essential needs support entities to report on
7 services provided under this section;

8 (c) In collaboration with the department of social and health
9 services, submit a report annually to the relevant policy and fiscal
10 committees of the legislature. A preliminary report shall be
11 submitted by December 31, 2011, and must include (c)(i), (iii), and
12 (v) of this subsection. Annual reports must be submitted beginning
13 December 1, 2012, and must include:

14 (i) A description of the actions the department has taken to
15 achieve the objectives of chapter 36, Laws of 2011 1st sp. sess.;

16 (ii) The amount of funds used by the department to administer the
17 program;

18 (iii) Information on the housing status of essential needs and
19 housing support recipients served by housing support entities, and
20 individuals who have requested housing support but did not receive
21 housing support;

22 (iv) Grantee expenditure data related to administration and
23 services provided under this section; and

24 (v) Efforts made to partner with other entities and leverage
25 sources or public and private funds;

26 (d) Review the data submitted by the designated entities, and
27 make recommendations for program improvements and administrative
28 efficiencies. The department has the authority to designate
29 alternative entities as necessary due to performance or other
30 significant issues. Such change must only be made after consultation
31 with the department of social and health services and the impacted
32 entity.

33 (8) The department, counties, and essential needs and housing
34 support entities are not civilly or criminally liable and may not
35 have any penalty or cause of action of any nature arise against them
36 related to decisions regarding: (a) The provision or lack of
37 provision of housing or essential needs support; or (b) the type of
38 housing arrangement supported with funds allocated under this
39 section, when the decision was made in good faith and in the
40 performance of the powers and duties under this section. However,

1 this section does not prohibit legal actions against the department,
2 county, or essential needs or housing support entity to enforce
3 contractual duties or obligations.

4 (9) Eligible participants of the supports and basic income pilot
5 program, as provided for in section 2 of this act, are eligible for
6 assistance through the essential needs and housing support program
7 during the supports and basic income pilot program period.

8 (a) Any cash assistance a person receives under section 2 of this
9 act shall not be considered in determining a person's initial or
10 ongoing eligibility for the essential needs and housing support
11 program during the supports and basic income pilot program period.

12 (b) The department shall coordinate with the department of social
13 and health services to ensure that eligible participants of the
14 supports and basic income pilot program have access to benefits
15 through the essential needs and housing support program.

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