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**SUBSTITUTE HOUSE BILL 1447**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** House Human Services, Youth, & Early Learning (originally sponsored by Representatives Peterson, Gregerson, Berry, Taylor, Simmons, Ortiz-Self, Ryu, Reed, Kloba, Doglio, Ormsby, Thai, Fosse, Pollet, Macri, Alvarado, and Leavitt)

READ FIRST TIME 02/09/23.

1 AN ACT Relating to strengthening the ability of assistance  
2 programs to meet foundational needs of children, adults, and  
3 families; amending RCW 74.04.005, 74.08A.010, 74.08A.015, 74.08A.230,  
4 74.08A.250, and 74.08A.270; reenacting and amending RCW 74.08A.010;  
5 providing effective dates; providing an expiration date; and  
6 declaring an emergency.

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

8 **Sec. 1.** RCW 74.04.005 and 2020 c 136 s 1 are each amended to  
9 read as follows:

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

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

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

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

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

20 (5) "Department" means the department of social and health  
21 services.

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

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

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

11 (9) "Income" means:

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

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

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

36 (11) "Public assistance" or "assistance" means public aid to  
37 persons in need thereof for any cause, including services, medical  
38 care, assistance grants, disbursing orders, work relief, benefits  
39 under RCW 74.62.030 and 43.185C.220, and federal aid assistance.

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

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

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

13 (b) Household furnishings and personal effects;

14 (c) One motor vehicle, other than a motor home, that is used and  
15 useful (~~((having an equity value not to exceed ten thousand dollars))~~);

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

19 (e) Retirement funds, pension plans, and retirement accounts;

20 (f) All other resources, including any excess of values exempted,  
21 not to exceed (~~((six thousand dollars))~~) \$25,000 or other limit as set  
22 by the department, to be consistent with limitations on resources and  
23 exemptions necessary for federal aid assistance;

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

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

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

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

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

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

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

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

19 (16)(a) "Victim of human trafficking" means a noncitizen and any  
20 qualifying family members who have:

21 (i) Filed or are preparing to file an application for T  
22 nonimmigrant status with the appropriate federal agency pursuant to 8  
23 U.S.C. Sec. 1101(a)(15)(T), as it existed on January 1, 2020;

24 (ii) Filed or are preparing to file an application with the  
25 appropriate federal agency for status pursuant to 8 U.S.C. Sec.  
26 1101(a)(15)(U), as it existed on January 1, 2020; or

27 (iii) Been harmed by either any violation of chapter 9A.40 or  
28 9.68A RCW, or both, or by substantially similar crimes under federal  
29 law or the laws of any other state, and who:

30 (A) Are otherwise taking steps to meet the conditions for federal  
31 benefits eligibility under 22 U.S.C. Sec. 7105, as it existed on  
32 January 1, 2020; or

33 (B) Have filed or are preparing to file an application with the  
34 appropriate federal agency for status under 8 U.S.C. Sec. 1158.

35 (b)(i) "Qualifying family member" means:

36 (A) A victim's spouse and children; and

37 (B) When the victim is under (~~twenty-one~~) 21 years of age, a  
38 victim's parents and unmarried siblings under the age of (~~eighteen~~)  
39 18.

1 (ii) "Qualifying family member" does not include a family member  
2 who has been charged with or convicted of attempt, conspiracy,  
3 solicitation, or commission of any crime referenced in this  
4 subsection or described under 8 U.S.C. Sec. 1101(a)(15)(T) or (U) as  
5 either existed on January 1, 2020, when the crime is against a spouse  
6 who is a victim of human trafficking or against the child of a victim  
7 of human trafficking.

8 (17) For purposes of determining eligibility for public  
9 assistance and participation levels in the cost of medical care, the  
10 department shall exempt restitution payments made to people of  
11 Japanese and Aleut ancestry pursuant to the Civil Liberties Act of  
12 1988 and the Aleutian and Pribilof Island Restitution Act passed by  
13 congress, P.L. 100-383, including all income and resources derived  
14 therefrom.

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

20 **Sec. 2.** RCW 74.08A.010 and 2022 c 24 s 1 are each amended to  
21 read as follows:

22 (1) A family that includes an adult who has received temporary  
23 assistance for needy families for ~~((sixty))~~ 60 months after July 27,  
24 1997, shall be ineligible for further temporary assistance for needy  
25 families assistance.

26 (2) For the purposes of applying the rules of this section, the  
27 department shall count any month in which an adult family member  
28 received a temporary assistance for needy families cash assistance  
29 grant unless the assistance was provided when the adult family member  
30 was a minor child and not the head of the household or married to the  
31 head of the household.

32 ~~((The department shall adopt regulations to apply the sixty-~~  
33 ~~month time limit to households in which a parent is in the home and~~  
34 ~~ineligible for temporary assistance for needy families. Any~~  
35 ~~regulations shall be consistent with federal funding requirements.~~

36 ~~(4))~~ The department shall refer recipients who require  
37 specialized assistance to appropriate department programs, crime  
38 victims' programs through the department of commerce, or the crime

1 victims' compensation program of the department of labor and  
2 industries.

3 ~~((5)(a))~~ (4) The department shall add to adopted rules related  
4 to temporary assistance for needy families time limit extensions, the  
5 following criteria by which the department shall exempt a recipient  
6 and the recipient's family from the application of subsection (1) of  
7 this section:

8 ~~((i))~~ (a) By reason of hardship, including when:

9 ~~((A))~~ (i) The recipient's family includes a child or youth who  
10 is without a fixed, regular, and adequate nighttime residence as  
11 described in the federal McKinney-Vento homeless assistance act  
12 (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed  
13 on January 1, 2020;

14 ~~((B))~~ (ii) The recipient received temporary assistance for  
15 needy families during a month on or after March 1, 2020, when  
16 Washington state's unemployment rate as published by the Washington  
17 employment security department was equal to or greater than seven  
18 percent, and the recipient is otherwise eligible for temporary  
19 assistance for needy families except that they have exceeded 60  
20 months. The extension provided for under this subsection ~~((5))~~ (4)  
21 ~~(a)((i)(B))~~ (ii) is equal to the number of months that the  
22 recipient received temporary assistance for needy families during a  
23 month on or after March 1, 2020, when the unemployment rate was equal  
24 to or greater than seven percent, and is applied sequentially to any  
25 other hardship extensions that may apply under this subsection  
26 ~~((5))~~ (4) or in rule; or

27 ~~((C))~~ (iii) Beginning July 1, 2022, the Washington state  
28 unemployment rate most recently published by the Washington  
29 employment security department is equal to or greater than seven  
30 percent; or

31 ~~((ii))~~ (b) If the family includes an individual who meets the  
32 family violence options of section 402(A)(7) of Title IVA of the  
33 federal social security act as amended by P.L. 104-193.

34 ~~((b) Policies related to circumstances under which a recipient  
35 will be exempted from the application of subsection (1) or (3) of  
36 this section shall treat adults receiving benefits on their own  
37 behalf, and parents receiving benefits on behalf of their child  
38 similarly, unless required otherwise under federal law.~~

39 ~~(6))~~ (5) The department shall not exempt a recipient and his or  
40 her family from the application of subsection (1) ~~((or(3))~~ of this

1 section until after the recipient has received (~~(fifty-two)~~) 52  
2 months of assistance under this chapter.

3 (~~(7)~~) (6) The department shall provide transitional food  
4 assistance for a period of five months to a household that ceases to  
5 receive temporary assistance for needy families assistance and is not  
6 in sanction status. If necessary, the department shall extend the  
7 household's basic food certification until the end of the transition  
8 period.

9 (~~(8)~~) (7) The department may adopt rules specifying which  
10 published employment security department unemployment rates to use  
11 for the purposes of subsection (~~(5)~~) (4) (a) (~~(i)(B) and (C)~~) (ii)  
12 and (iii) of this section.

13 **Sec. 3.** RCW 74.08A.010 and 2022 c 98 s 1 and 2022 c 24 s 1 are  
14 each reenacted and amended to read as follows:

15 (1) A family that includes an adult who has received temporary  
16 assistance for needy families for (~~(sixty)~~) 60 months after July 27,  
17 1997, shall be ineligible for further temporary assistance for needy  
18 families assistance.

19 (2) For the purposes of applying the rules of this section, the  
20 department shall count any month in which an adult family member  
21 received a temporary assistance for needy families cash assistance  
22 grant unless the assistance was provided when the adult family member  
23 was a minor child and not the head of the household or married to the  
24 head of the household.

25 (~~(3) (The department shall adopt regulations to apply the sixty-~~  
26 ~~month time limit to households in which a parent is in the home and~~  
27 ~~ineligible for temporary assistance for needy families. Any~~  
28 ~~regulations shall be consistent with federal funding requirements.~~

29 ~~(4))~~ The department shall refer recipients who require  
30 specialized assistance to appropriate department programs, crime  
31 victims' programs through the department of commerce, or the crime  
32 victims' compensation program of the department of labor and  
33 industries.

34 (~~(5)(a)~~) (4) The department shall add to adopted rules related  
35 to temporary assistance for needy families time limit extensions, the  
36 following criteria by which the department shall exempt a recipient  
37 and the recipient's family from the application of subsection (1) of  
38 this section:

39 (~~(i)~~) (a) By reason of hardship, including when:

1       ~~((A))~~ (i) The recipient's family includes a child or youth who  
2 is without a fixed, regular, and adequate nighttime residence as  
3 described in the federal McKinney-Vento homeless assistance act  
4 (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed  
5 on January 1, 2020;

6       ~~((B))~~ (ii) The recipient received temporary assistance for  
7 needy families during a month on or after March 1, 2020, when  
8 Washington state's unemployment rate as published by the Washington  
9 employment security department was equal to or greater than seven  
10 percent, and the recipient is otherwise eligible for temporary  
11 assistance for needy families except that they have exceeded 60  
12 months. The extension provided for under this subsection ~~((5))~~ (4)  
13 (a)~~((i)(B))~~ (ii) is equal to the number of months that the  
14 recipient received temporary assistance for needy families during a  
15 month on or after March 1, 2020, when the unemployment rate was equal  
16 to or greater than seven percent, and is applied sequentially to any  
17 other hardship extensions that may apply under this subsection  
18 ~~((5))~~ (4) or in rule; or

19       ~~((C))~~ (iii) Beginning July 1, 2022, the Washington state  
20 unemployment rate most recently published by the Washington  
21 employment security department is equal to or greater than seven  
22 percent; or

23       ~~((ii))~~ (b) If the family includes an individual who meets the  
24 family violence options of section 402(A)(7) of Title IVA of the  
25 federal social security act as amended by P.L. 104-193.

26       ~~((b) Policies related to circumstances under which a recipient  
27 will be exempted from the application of subsection (1) or (3) of  
28 this section shall treat adults receiving benefits on their own  
29 behalf, and parents receiving benefits on behalf of their child  
30 similarly, unless required otherwise under federal law.~~

31       ~~(6))~~ (5) The department shall not exempt a recipient and his or  
32 her family from the application of subsection (1) ~~((or (3)))~~ of this  
33 section until after the recipient has received ~~((fifty-two))~~ 52  
34 months of assistance under this chapter.

35       ~~((7))~~ (6) The department shall provide transitional food  
36 assistance for a period of five months to a household that ceases to  
37 receive temporary assistance for needy families assistance and is not  
38 in full-family sanction status. If a member of a household has been  
39 sanctioned but the household is still receiving benefits, the  
40 remaining eligible household members may receive transitional food



1 assistance. If necessary, the department shall extend the household's  
2 basic food certification until the end of the transition period.

3 ~~((+8))~~ (7) The department may adopt rules specifying which  
4 published employment security department unemployment rates to use  
5 for the purposes of subsection ~~((+5))~~ (4)(a) ~~((+i)(B) and (C))~~ (ii)  
6 and (iii) of this section.

7 **Sec. 4.** RCW 74.08A.015 and 2021 c 239 s 3 are each amended to  
8 read as follows:

9 All families who have received temporary assistance for needy  
10 families since March 1, 2020, are eligible for the extension under  
11 RCW 74.08A.010 ~~((+5))~~ (4)(a) ~~((+i)(B))~~ (ii), regardless of whether  
12 they are current recipients. Eligible families shall only receive  
13 temporary assistance for needy families benefits that accrue after  
14 July 25, 2021.

15 **Sec. 5.** RCW 74.08A.230 and 1997 c 58 s 308 are each amended to  
16 read as follows:

17 (1) In addition to their monthly benefit payment, a family may  
18 earn and keep 100 percent of new earnings for up to six months. After  
19 six consecutive months, the department may only disregard one-half of  
20 ~~((+its))~~ the family's earnings during every month it is eligible to  
21 receive assistance under this section.

22 (2) In no event may a family be eligible for temporary assistance  
23 for needy families if its monthly gross ~~((earned))~~ income exceeds  
24 ~~((the maximum earned income level as set by the department))~~ 200  
25 percent of the federal poverty level. In calculating a household's  
26 gross earnings, the department shall disregard the earnings of a  
27 minor child who is:

28 (a) A full-time student; or

29 (b) A part-time student carrying at least half the normal school  
30 load and working fewer than ~~((thirty-five))~~ 35 hours per week.

31 **Sec. 6.** RCW 74.08A.250 and 2019 c 343 s 5 are each amended to  
32 read as follows:

33 Unless the context clearly requires otherwise, as used in this  
34 chapter, "work activity" means:

35 (1) Unsubsidized paid employment in the private or public sector;

- 1 (2) Subsidized paid employment in the private or public sector,  
2 including employment through the state or federal work-study program  
3 for a period not to exceed (~~twenty-four~~) 24 months;
- 4 (3) Work experience, including:
- 5 (a) An internship or practicum, that is paid or unpaid and is  
6 required to complete a course of vocational training or to obtain a  
7 license or certificate in a high-demand occupation, as determined by  
8 the employment security department. No internship or practicum shall  
9 exceed (~~twelve~~) 12 months; or
- 10 (b) Work associated with the refurbishing of publicly assisted  
11 housing, if sufficient paid employment is not available;
- 12 (4) On-the-job training;
- 13 (5) Job search and job readiness assistance;
- 14 (6) Community service programs, including a recipient's voluntary  
15 service at a child care or preschool facility licensed under chapter  
16 43.216 RCW or an elementary school in which his or her child is  
17 enrolled;
- 18 (7) Vocational educational training, not to exceed (~~twelve~~) 12  
19 months with respect to any individual except that this (~~twelve-~~  
20 ~~month~~) 12-month limit may be increased to (~~twenty-four~~) 24 months  
21 subject to funding appropriated specifically for this purpose;
- 22 (8) Job skills training directly related to employment;
- 23 (9) Education directly related to employment, in the case of a  
24 recipient who has not received a high school diploma or a high school  
25 equivalency certificate as provided in RCW 28B.50.536;
- 26 (10) Satisfactory attendance at secondary school or in a course  
27 of study leading to a high school equivalency certificate as provided  
28 in RCW 28B.50.536, in the case of a recipient who has not completed  
29 secondary school or received such a certificate;
- 30 (11) The provision of child care services to an individual who is  
31 participating in a community service program;
- 32 (12) Internships, that shall be paid or unpaid work experience  
33 performed by an intern in a business, industry, or government or  
34 nongovernmental agency setting;
- 35 (13) Practicums, which include any educational program in which a  
36 student is working under the close supervision of a professional in  
37 an agency, clinic, or other professional practice setting for  
38 purposes of advancing their skills and knowledge;
- 39 (14) Services required by the recipient under RCW 74.08.025(2)  
40 and 74.08A.010(~~(4)~~) (3) to become employable;

1 (15) Financial literacy activities designed to be effective in  
2 assisting a recipient in becoming self-sufficient and financially  
3 stable; and

4 (16) Parent education services or programs that support  
5 development of appropriate parenting skills, life skills, and  
6 employment-related competencies.

7 **Sec. 7.** RCW 74.08A.270 and 2017 3rd sp.s. c 21 s 2 are each  
8 amended to read as follows:

9 (1) Good cause reasons for failure to participate in WorkFirst  
10 program components include situations where: (a) (~~Situations where~~  
11 ~~the~~) The recipient is a parent or other relative personally  
12 providing care for a child under the age of six years, and formal or  
13 informal child care, or day care for an incapacitated individual  
14 living in the same home as a dependent child, is necessary for an  
15 individual to participate or continue participation in the program or  
16 accept employment, and such care is not available, and the department  
17 fails to provide such care; (~~or~~) (b) the recipient is a parent with  
18 a child under the age of two years; or (c) the recipient is  
19 experiencing a hardship as defined by the department in rule.

20 (2) A parent claiming a good cause exemption from WorkFirst  
21 participation under subsection (1)(b) of this section may be required  
22 to participate in one or more of the following, up to a maximum total  
23 of twenty hours per week, if such treatment, services, or training is  
24 indicated by the comprehensive evaluation or other assessment:

25 (a) Mental health treatment;

26 (b) Alcohol or drug treatment;

27 (c) Domestic violence services; or

28 (d) Parenting education or parenting skills training, if  
29 available.

30 (3) The department shall: (a) Work with a parent claiming a good  
31 cause exemption under subsection (1)(b) of this section to identify  
32 and access programs and services designed to improve parenting skills  
33 and promote child well-being, including but not limited to home  
34 visitation programs and services; and (b) provide information on the  
35 availability of home visitation services to temporary assistance for  
36 needy families caseworkers, who shall inform clients of the  
37 availability of the services. If desired by the client, the  
38 caseworker shall facilitate appropriate referrals to providers of  
39 home visitation services.

1 (4) Nothing in this section shall prevent a recipient from  
2 participating in the WorkFirst program on a voluntary basis.

3 (5) A parent is eligible for a good cause exemption under  
4 subsection (1)(b) of this section for a maximum total of (~~twenty-~~  
5 ~~four~~) 24 months over the parent's lifetime.

6 NEW SECTION. **Sec. 8.** Section 2 of this act is necessary for the  
7 immediate preservation of the public peace, health, or safety, or  
8 support of the state government and its existing public institutions,  
9 and takes effect July 1, 2023.

10 NEW SECTION. **Sec. 9.** Section 2 of this act expires January 1,  
11 2024.

12 NEW SECTION. **Sec. 10.** Section 3 of this act takes effect  
13 January 1, 2024.

14 NEW SECTION. **Sec. 11.** Section 1 of this act takes effect  
15 February 1, 2024.

16 NEW SECTION. **Sec. 12.** Section 5 of this act takes effect August  
17 1, 2024.

--- END ---