

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 1447

Chapter 418, Laws of 2023

68th Legislature
2023 Regular Session

ASSISTANCE PROGRAMS—ELIGIBILITY

EFFECTIVE DATE: July 23, 2023—Except for section 1, which takes effect February 1, 2024; section 2, which takes effect July 1, 2023; section 3, which takes effect January 1, 2024; and section 5, which takes effect August 1, 2024.

Passed by the House April 22, 2023
Yeas 62 Nays 36

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 21, 2023
Yeas 31 Nays 18

DENNY HECK

President of the Senate

Approved May 11, 2023 9:45 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1447** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 11, 2023

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 1447

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington 68th Legislature 2023 Regular Session

By House Appropriations (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 02/24/23.

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, 74.08A.270, and 74.04.266; reenacting and amending RCW
5 74.08A.010; creating a new section; providing effective dates;
6 providing an expiration date; and 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))~~) \$12,000 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 the first \$500 of the family's earnings in addition to
19 one-half of ~~((its))~~ the family's remaining earnings during every
20 month it is eligible to receive assistance under this section.

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

26 (a) A full-time student; or

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

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

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

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

34 (2) Subsidized paid employment in the private or public sector,
35 including employment through the state or federal work-study program
36 for a period not to exceed ~~((twenty-four))~~ 24 months;

37 (3) Work experience, including:

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

1 (16) Parent education services or programs that support
2 development of appropriate parenting skills, life skills, and
3 employment-related competencies.

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

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

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

22 (a) Mental health treatment;

23 (b) Alcohol or drug treatment;

24 (c) Domestic violence services; or

25 (d) Parenting education or parenting skills training, if
26 available.

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

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

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

4 **Sec. 8.** RCW 74.04.266 and 2011 1st sp.s. c 36 s 21 are each
5 amended to read as follows:

6 In determining need for aged, blind, or disabled assistance, and
7 medical care services, the department may by rule and regulation
8 establish a monthly earned income exemption (~~in an amount not to~~
9 ~~exceed the exemption allowable under disability programs authorized~~
10 ~~in Title XVI of the federal social security act~~) as provided for in
11 RCW 74.08A.230.

12 NEW SECTION. **Sec. 9.** If specific funding for the purposes of
13 this act, referencing this act by bill or chapter number, is not
14 provided by June 30, 2023, in the omnibus appropriations act, this
15 act is null and void.

16 NEW SECTION. **Sec. 10.** Section 2 of this act is necessary for
17 the immediate preservation of the public peace, health, or safety, or
18 support of the state government and its existing public institutions,
19 and takes effect July 1, 2023.

20 NEW SECTION. **Sec. 11.** Section 2 of this act expires January 1,
21 2024.

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

24 NEW SECTION. **Sec. 13.** Section 1 of this act takes effect
25 February 1, 2024.

26 NEW SECTION. **Sec. 14.** Section 5 of this act takes effect August
27 1, 2024.

Passed by the House April 22, 2023.
Passed by the Senate April 21, 2023.
Approved by the Governor May 11, 2023.
Filed in Office of Secretary of State May 11, 2023.

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