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**HOUSE BILL 1447**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Representatives Peterson and Gregerson

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, 74.04.770, 74.08A.010, 74.08A.015,  
4 74.08A.230, 74.08A.250, and 74.08A.270; reenacting and amending RCW  
5 74.08A.010; providing effective dates; and providing an expiration  
6 date.

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 74.04.770 and 2021 c 9 s 3 are each amended to read  
21 as follows:

22 (1) The department shall establish consolidated standards of need  
23 each fiscal year which may vary by geographical areas, program, and  
24 family size, for temporary assistance for needy families, refugee  
25 assistance, supplemental security income, and benefits under RCW  
26 74.62.030.

27 (2)(a) Standards of need for temporary assistance for needy  
28 families, refugee assistance, and benefits under RCW 74.62.030 shall  
29 be based on studies of actual living costs and generally recognized  
30 inflation indices and shall include reasonable allowances for basic  
31 household needs including shelter, fuel, food, transportation,  
32 clothing, household maintenance and operations, personal maintenance,  
33 necessary incidentals, cell phone and internet, and out-of-pocket  
34 costs for child care and health care.

35 (b) By July 1, 2022, to ensure the standards of need reflect the  
36 current goods and services households need, the department must use  
37 an existing, broadly used national standard that meets the  
38 requirements of (a) of this subsection as the base for annual  
39 updating in subsection (1) of this section.

1 (c) The standard of need may take into account the economies of  
2 joint living arrangements, but unless explicitly required by federal  
3 statute, there shall not be proration of any portion of assistance  
4 grants unless the amount of the grant standard is equal to the  
5 standard of need.

6 The department is authorized to establish rateable reductions and  
7 grant maximums consistent with federal law.

8 (3) Payment level (~~((will be equal to need or a lesser amount if  
9 rateable reductions or grant maximums are imposed))~~) for temporary  
10 assistance for needy families, refugee assistance, and benefits under  
11 RCW 74.62.030 will be no less than 15 percent of need or the previous  
12 year's payment level, whichever is greater, if rateable reductions or  
13 grant maximums are imposed. However, payment levels may not increase  
14 by more than three percent in any single state fiscal year based on  
15 this subsection. In no case shall a recipient of supplemental  
16 security income receive a state supplement less than the minimum  
17 required by federal law.

18 **Sec. 3.** RCW 74.08A.010 and 2022 c 24 s 1 are each amended to  
19 read as follows:

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

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

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

34 ~~(4))~~) The department shall refer recipients who require  
35 specialized assistance to appropriate department programs, crime  
36 victims' programs through the department of commerce, or the crime  
37 victims' compensation program of the department of labor and  
38 industries.

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

6       (i) By reason of hardship, including when:

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

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

24       (C) Beginning July 1, 2022, the Washington state unemployment  
25 rate most recently published by the Washington employment security  
26 department is equal to or greater than seven percent; or

27       (D) Termination or denial of cash assistance would result in  
28 financial distress for the recipient's family; or

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

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

37       (~~(6)~~) (5) The department shall not exempt a recipient and his  
38 or her family from the application of subsection (1) (~~(e)-(3)~~) of  
39 this section until after the recipient has received (~~fifty-two~~) 52  
40 months of assistance under this chapter.

1 ((+7)) (6) The department shall provide transitional food  
2 assistance for a period of five months to a household that ceases to  
3 receive temporary assistance for needy families assistance and is not  
4 in sanction status. If necessary, the department shall extend the  
5 household's basic food certification until the end of the transition  
6 period.

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

11 **Sec. 4.** RCW 74.08A.010 and 2022 c 98 s 1 and 2022 c 24 s 1 are  
12 each reenacted and amended to read as follows:

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

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

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

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

32 ((+5)) (4)(a) The department shall add to adopted rules related  
33 to temporary assistance for needy families time limit extensions, the  
34 following criteria by which the department shall exempt a recipient  
35 and the recipient's family from the application of subsection (1) of  
36 this section:

37 (i) By reason of hardship, including when:

38 (A) The recipient's family includes a child or youth who is  
39 without a fixed, regular, and adequate nighttime residence as



1 described in the federal McKinney-Vento homeless assistance act  
2 (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed  
3 on January 1, 2020;

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

16 (C) Beginning July 1, 2022, the Washington state unemployment  
17 rate most recently published by the Washington employment security  
18 department is equal to or greater than seven percent; or

19 (D) Termination or denial of cash assistance would result in  
20 financial distress for the recipient's family; or

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

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

29 (~~((6))~~) (5) The department shall not exempt a recipient and his  
30 or her family from the application of subsection (1) (~~((or--(3))~~) of  
31 this section until after the recipient has received (~~((fifty-two))~~) 52  
32 months of assistance under this chapter.

33 (~~((7))~~) (6) The department shall provide transitional food  
34 assistance for a period of five months to a household that ceases to  
35 receive temporary assistance for needy families assistance and is not  
36 in full-family sanction status. If a member of a household has been  
37 sanctioned but the household is still receiving benefits, the  
38 remaining eligible household members may receive transitional food  
39 assistance. If necessary, the department shall extend the household's  
40 basic food certification until the end of the transition period.

1        ~~((8))~~ (7) The department may adopt rules specifying which  
2 published employment security department unemployment rates to use  
3 for the purposes of subsection ~~((5))~~ (4)(a)(i)(B) and (C) of this  
4 section.

5        **Sec. 5.** RCW 74.08A.015 and 2021 c 239 s 3 are each amended to  
6 read as follows:

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

13        **Sec. 6.** RCW 74.08A.230 and 1997 c 58 s 308 are each amended to  
14 read as follows:

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

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

25        (a) A full-time student; or

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

28        **Sec. 7.** RCW 74.08A.250 and 2019 c 343 s 5 are each amended to  
29 read as follows:

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

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

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

36        (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. 8.** 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 NEW SECTION. **Sec. 9.** Section 3 of this act expires January 1,  
5 2024.

6 NEW SECTION. **Sec. 10.** Sections 2 and 4 of this act take effect  
7 January 1, 2024.

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

10 NEW SECTION. **Sec. 12.** Section 6 of this act takes effect August  
11 1, 2024.

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