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HOUSE BILL 1372

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Shea, G. Hunt, Taylor, Scott, Magendanz, and McCaslin

Read first time 01/19/15. Referred to Committee on Judiciary.

1 AN ACT Relating to citizenship and immigration status  
2 requirements for enrollment in health care and human service  
3 programs; adding a new section to chapter 70.47 RCW; adding a new  
4 section to chapter 74.04 RCW; adding a new section to chapter 74.09  
5 RCW; adding a new section to chapter 74.12 RCW; and creating a new  
6 section.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that there are  
9 thousands of individuals enrolled in taxpayer-funded health care and  
10 human service programs who are not residents of the state of  
11 Washington, citizens of the United States, or qualified aliens as  
12 defined by federal law. Several state-only funded health care and  
13 human service programs have been created for individuals who do not  
14 meet federal citizenship or qualified alien requirements for similar  
15 programs that receive federal funding. Furthermore, taxpayer dollars  
16 are being used to track down and purchase citizenship or immigration  
17 documents, which should be the responsibility of the individual  
18 requesting services. It is therefore the intent of the legislature to  
19 limit enrollment in taxpayer-funded health care and human service  
20 programs to individuals who are citizens of the United States or meet  
21 the definition of a qualified alien.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 70.47

2    RCW to read as follows:

3        (1) No person is eligible for benefits under this chapter unless  
4    he or she is a Washington resident at the time of application,  
5    maintains Washington residency continuously while receiving benefits,  
6    and is either:

7        (a) A citizen of the United States by birth or naturalization; or

8        (b) A qualified alien who either:

9        (i) Entered the United States on or before August 21, 1996;

10        (ii) Entered the United States after August 21, 1996, and has  
11    maintained his or her status as a qualified alien for a period of at  
12    least five years beginning on his or her date of entry, except for a  
13    Cuban or Haitian entrant as defined in section 501(e)(2) of the  
14    refugee education assistance act of 1980 (P.L. 96-422);

15        (iii) Entered the United States as a member of one of the  
16    exception groups under P.L. 104-193, section 412, in which case the  
17    person must be determined eligible in accordance with P.L. 104-193;  
18    or

19        (iv) Meets the definition of a "qualified alien" as provided by  
20    the attorney general of the United States under the authority of P.L.  
21    104-208, section 501.

22        (2)(a) The department of social and health services shall accept  
23    the following documents as acceptable proof of eligibility under this  
24    subsection:

25        (i) A United States passport or passport card;

26        (ii) An enhanced driver's license or state identification card;

27        (iii) A certificate of naturalization;

28        (iv) A certificate of citizenship;

29        (v) A tribal membership card with a photograph;

30        (vi) An official state or county issued birth certificate;

31        (vii) A certification of birth issued by the federal department  
32    of state;

33        (viii) A department of health printout for Washington state  
34    birth;

35        (ix) A United States citizen identification card; or

36        (x) A final adoption decree in the United States.

37        (b) No state resources shall be used for investigating the  
38    eligibility of an applicant who has not submitted satisfactory  
39    documentation. No state resources shall be used to purchase  
40    satisfactory documentation for an applicant. The department may

1 provide applicants with a list of community resources that help  
2 applicants locate and obtain satisfactory documentation.

3 (3) For the purposes of this section, "qualified alien" has the  
4 same meaning as provided in the federal personal responsibility and  
5 work opportunity reconciliation act of 1996 (P.L. 104-193).

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.04  
7 RCW to read as follows:

8 (1) For purposes of the food stamp program established in RCW  
9 74.04.500 through 74.04.535, no person is eligible for benefits under  
10 the program unless he or she is a Washington resident at the time of  
11 application, maintains Washington residency continuously while  
12 receiving benefits, and is either:

13 (a) A citizen of the United States by birth or naturalization; or

14 (b) A qualified alien who either:

15 (i) Entered the United States on or before August 21, 1996;

16 (ii) Entered the United States after August 21, 1996, and has  
17 maintained his or her status as a qualified alien for a period of at  
18 least five years beginning on his or her date of entry, except for a  
19 Cuban or Haitian entrant as defined in section 501(e)(2) of the  
20 refugee education assistance act of 1980 (P.L. 96-422);

21 (iii) Entered the United States as a member of one of the  
22 exception groups under P.L. 104-193, section 412, in which case the  
23 person must be determined eligible in accordance with P.L. 104-193;  
24 or

25 (iv) Meets the definition of a "qualified alien" as provided by  
26 the attorney general of the United States under the authority of P.L.  
27 104-208, section 501.

28 (2)(a) The department shall accept the following documents as  
29 acceptable proof of eligibility under this subsection:

30 (i) A United States passport or passport card;

31 (ii) An enhanced driver's license or state identification card;

32 (iii) A certificate of naturalization;

33 (iv) A certificate of citizenship;

34 (v) A tribal membership card with a photograph;

35 (vi) An official state or county issued birth certificate;

36 (vii) A certification of birth issued by the federal department  
37 of state;

38 (viii) A department of health printout for Washington state  
39 birth;

1 (ix) A United States citizen identification card; or

2 (x) A final adoption decree in the United States.

3 (b) No state resources shall be used for investigating the  
4 eligibility of an applicant who has not submitted satisfactory  
5 documentation. No state resources shall be used to purchase  
6 satisfactory documentation for an applicant. The department may  
7 provide applicants with a list of community resources that help  
8 applicants locate and obtain satisfactory documentation.

9 (3) For the purposes of this section, "qualified alien" has the  
10 same meaning as provided in the federal personal responsibility and  
11 work opportunity reconciliation act of 1996 (P.L. 104-193).

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.09  
13 RCW to read as follows:

14 (1) No person is eligible for benefits under this chapter unless  
15 he or she is a Washington resident at the time of application,  
16 maintains Washington residency continuously while receiving benefits,  
17 and is either:

18 (a) A citizen of the United States by birth or naturalization; or

19 (b) A qualified alien who either:

20 (i) Entered the United States on or before August 21, 1996;

21 (ii) Entered the United States after August 21, 1996, and has  
22 maintained his or her status as a qualified alien for a period of at  
23 least five years beginning on his or her date of entry, except for a  
24 Cuban or Haitian entrant as defined in section 501(e)(2) of the  
25 refugee education assistance act of 1980 (P.L. 96-422);

26 (iii) Entered the United States as a member of one of the  
27 exception groups under P.L. 104-193, section 412, in which case the  
28 person must be determined eligible in accordance with P.L. 104-193;  
29 or

30 (iv) Meets the definition of a "qualified alien" as provided by  
31 the attorney general of the United States under the authority of P.L.  
32 104-208, section 501.

33 (2)(a) The department shall accept the following documents as  
34 acceptable proof of eligibility under this subsection:

35 (i) A United States passport or passport card;

36 (ii) An enhanced driver's license or state identification card;

37 (iii) A certificate of naturalization;

38 (iv) A certificate of citizenship;

39 (v) A tribal membership card with a photograph;

- 1 (vi) An official state or county issued birth certificate;
- 2 (vii) A certification of birth issued by the federal department
- 3 of state;
- 4 (viii) A department of health printout for Washington state
- 5 birth;
- 6 (ix) A United States citizen identification card; or
- 7 (x) A final adoption decree in the United States.

8 (b) No state resources shall be used for investigating the  
9 eligibility of an applicant who has not submitted satisfactory  
10 documentation. No state resources shall be used to purchase  
11 satisfactory documentation for an applicant. The department may  
12 provide applicants with a list of community resources that help  
13 applicants locate and obtain satisfactory documentation.

14 (3) For the purposes of this section, "qualified alien" has the  
15 same meaning as provided in the federal personal responsibility and  
16 work opportunity reconciliation act of 1996 (P.L. 104-193).

17 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.12  
18 RCW to read as follows:

19 (1) No person is eligible for benefits under this chapter unless  
20 he or she is a Washington resident at the time of application,  
21 maintains Washington residency continuously while receiving benefits,  
22 and is either:

- 23 (a) A citizen of the United States by birth or naturalization; or
- 24 (b) A qualified alien who either:

25 (i) Entered the United States on or before August 21, 1996;

26 (ii) Entered the United States after August 21, 1996, and has  
27 maintained his or her status as a qualified alien for a period of at  
28 least five years beginning on his or her date of entry, except for a  
29 Cuban or Haitian entrant as defined in section 501(e)(2) of the  
30 refugee education assistance act of 1980 (P.L. 96-422);

31 (iii) Entered the United States as a member of one of the  
32 exception groups under P.L. 104-193, section 412, in which case the  
33 person must be determined eligible in accordance with P.L. 104-193;  
34 or

35 (iv) Meets the definition of a "qualified alien" as provided by  
36 the attorney general of the United States under the authority of P.L.  
37 104-208, section 501.

38 (2)(a) The department shall accept the following documents as  
39 acceptable proof of eligibility under this subsection:

1 (i) A United States passport or passport card;  
2 (ii) An enhanced driver's license or state identification card;  
3 (iii) A certificate of naturalization;  
4 (iv) A certificate of citizenship;  
5 (v) A tribal membership card with a photograph;  
6 (vi) An official state or county issued birth certificate;  
7 (vii) A certification of birth issued by the federal department  
8 of state;  
9 (viii) A department of health printout for Washington state  
10 birth;  
11 (ix) A United States citizen identification card; or  
12 (x) A final adoption decree in the United States.  
13 (b) No state resources shall be used for investigating the  
14 eligibility of an applicant who has not submitted satisfactory  
15 documentation. No state resources shall be used to purchase  
16 satisfactory documentation for an applicant. The department may  
17 provide applicants with a list of community resources that help  
18 applicants locate and obtain satisfactory documentation.  
19 (3) For the purposes of this section, "qualified alien" has the  
20 same meaning as provided in the federal personal responsibility and  
21 work opportunity reconciliation act of 1996 (P.L. 104-193).

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