
HOUSE BILL 1976

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Shea, Taylor, McCune, Orcutt, Condotta, Angel, Buys, Klippert, Schmick, Anderson, Kristiansen, Warnick, Overstreet, and Bailey

Read first time 02/16/11. Referred to Committee on State Government & Tribal Affairs.

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

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

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

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.47 RCW
2 to read as follows:

3 (1) No person is eligible for benefits under this chapter unless he
4 or she is a Washington resident at the time of application, maintains
5 Washington residency continuously while receiving benefits, and is
6 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 refugee
14 education assistance act of 1980 (P.L. 96-422);

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

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

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

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

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

26 (iii) A certificate of naturalization;

27 (iv) A certificate of citizenship;

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

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

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

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

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

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

35 (b) No state resources shall be used for investigating the
36 eligibility of an applicant who has not submitted satisfactory
37 documentation. No state resources shall be used to purchase

1 satisfactory documentation for an applicant. The department may
2 provide applicants with a list of community resources that help
3 applicants locate and obtain satisfactory documentation.

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

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

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

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

15 (b) A qualified alien who either:

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

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

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

25 (iv) Meets the definition of a "qualified alien" as provided by the
26 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 of
37 state;

- 1 (viii) A department of health printout for Washington state birth;
- 2 (ix) A United States citizen identification card; or
- 3 (x) A final adoption decree in the United States.

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

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

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

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

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

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

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

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

30 (iv) Meets the definition of a "qualified alien" as provided by the
31 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;

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

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

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

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

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

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

25 (b) A qualified alien who either:

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

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

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

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

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

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

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

5 (iii) A certificate of naturalization;

6 (iv) A certificate of citizenship;

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

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

9 (vii) A certification of birth issued by the federal department of
10 state;

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

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

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

14 (b) No state resources shall be used for investigating the
15 eligibility of an applicant who has not submitted satisfactory
16 documentation. No state resources shall be used to purchase
17 satisfactory documentation for an applicant. The department may
18 provide applicants with a list of community resources that help
19 applicants locate and obtain satisfactory documentation.

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

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