

RCW 74.08A.010 Time limits—Transitional food assistance.

(Effective until January 1, 2024.) (1) A family that includes an adult who has received temporary assistance for needy families for 60 months after July 27, 1997, shall be ineligible for further temporary assistance for needy families assistance.

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

(3) The department shall refer recipients who require specialized assistance to appropriate department programs, crime victims' programs through the department of commerce, or the crime victims' compensation program of the department of labor and industries.

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

(a) By reason of hardship, including when:

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

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

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

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

(5) The department shall not exempt a recipient and his or her family from the application of subsection (1) of this section until after the recipient has received 52 months of assistance under this chapter.

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

(7) The department may adopt rules specifying which published employment security department unemployment rates to use for the

purposes of subsection (4) (a) (ii) and (iii) of this section. [2023 c 418 § 2; 2022 c 24 § 1; 2021 c 239 § 1; 2020 c 320 § 1; 2019 c 343 § 2; 2011 1st sp.s. c 42 § 6; 2004 c 54 § 4; 1997 c 58 § 103.]

Effective date—2023 c 418 § 2: "Section 2 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2023." [2023 c 418 § 10.]

Expiration date—2023 c 418 § 2: "Section 2 of this act expires January 1, 2024." [2023 c 418 § 11.]

Conflict with federal requirements—2021 c 239: "If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state." [2021 c 239 § 2.]

Contingent effective date—2021 c 239: "This act takes effect July 1, 2023, only if specific funding for extending the 60-month time limit through the 2021-2023 biennium, is provided by June 30, 2021, in the omnibus appropriations act. If specific funding for extending the 60-month time limit through the 2021-2023 biennium is not provided by June 30, 2021, in the omnibus appropriations act, this act takes effect 90 days after final adjournment of the legislative session in which it is enacted." [2021 c 239 § 4.]

Effective date—2020 c 320 § 1: "Section 1 of this act takes effect July 1, 2021." [2020 c 320 § 3.]

Prospective application—2019 c 343: See note following RCW 74.08.025.

Effective date—2011 1st sp.s. c 42 § 6: "Section 6 of this act takes effect September 1, 2011." [2011 1st sp.s. c 42 § 29.]

Findings—Intent—2011 1st sp.s. c 42: See note following RCW 74.08A.260.

Finding—2011 1st sp.s. c 42: See note following RCW 74.04.004.

Findings—Conflict with federal requirements—2004 c 54: See notes following RCW 28A.235.160.

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

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

(5) The department shall not exempt a recipient and his or her family from the application of subsection (1) of this section until after the recipient has received 52 months of assistance under this chapter.

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

(7) The department may adopt rules specifying which published employment security department unemployment rates to use for the purposes of subsection (4)(a)(ii) and (iii) of this section. [2023 c 418 § 3. Prior: 2022 c 98 § 1; 2022 c 24 § 1; 2021 c 239 § 1; 2020 c 320 § 1; 2019 c 343 § 2; 2011 1st sp.s. c 42 § 6; 2004 c 54 § 4; 1997 c 58 § 103.]

Effective date—2023 c 418 § 3: "Section 3 of this act takes effect January 1, 2024." [2023 c 418 § 12.]

Effective date—2022 c 98: "This act takes effect January 1, 2024." [2022 c 98 § 2.]

Conflict with federal requirements—2021 c 239: "If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state." [2021 c 239 § 2.]

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