

HOUSE BILL REPORT

SHB 1721

As Passed Legislature

Title: An act relating to refunding contributions to the judicial retirement system.

Brief Description: Refunding contributions to the judicial retirement system.

Sponsor(s): By House Committee on Appropriations (originally sponsored by Representatives May and Locke).

Brief History:

Reported by House Committee on:
Appropriations, March 10, 1991, DPS;
Passed House, March 18, 1991, 98-0;
Passed Legislature, 98-0.

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *That Substitute House Bill No. 1721 be substituted therefor, and the substitute bill do pass.*
Signed by 24 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Appelwick; Bowman; Braddock; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Holland; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; and Vance.

Staff: Barbara McLain (786-7135).

Background: Judges elected or appointed to the Superior Court, Court of Appeals, or Supreme Court prior to August 9, 1971 were members of the Judges Retirement System. Those elected or appointed between August 9, 1971 and July 1, 1988 are members of the Judicial Retirement System.

The period of service required to vest in the judicial retirement systems is relatively long. The Judges Retirement System requires at least 12 years of service before pension eligibility is attained. The Judicial Retirement System requires at least 10 years' service.

Contributions to either plan are not refundable if a judge leaves the system before becoming vested. Former members of the Judicial Retirement System who were not vested have filed numerous claims for return of contributions through

the sundry claims process. Few claims are known to have been paid through sundry claims.

Both the Judicial and the Judges Retirement systems are "closed" systems. Since July 1, 1988, newly elected or appointed judges are members of the Public Employees Retirement System.

Summary of Bill: A judge who was a member of either the Judges or Judicial Retirement System, or the surviving spouse of such a judge, may apply for and receive a refund of the judge's contributions to the system if: (1) the judge left the system before July 1, 1988; (2) the judge was not eligible to receive a pension benefit from the system; and (3) neither the spouse nor the judge received an amount under a sundry claims appropriation intended as a refund of the judge's retirement contributions.

If funds are not provided in the operating budget specifically for this act, the act is null and void.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Witnesses: None.