

**FINAL BILL REPORT**

**ESB 5998**

**C 12 L 91 E1**

**SYNOPSIS AS ENACTED**

**Brief Description:** Changing the definition of surviving spouse under LEOFF.

**SPONSORS:** Senator Nelson.

**BACKGROUND:**

Prior to the passage of HB 1211 (C 365 L 91), the Law Enforcement Officers' and Fire Fighters' Retirement System had a definition of surviving spouse that excluded the divorced spouse of a member. In passing HB 1211, the Legislature inadvertently narrowed the definition of surviving spouse to exclude surviving widows or widowers of members of the system when the members joined the system after September 30, 1977.

**SUMMARY:**

The surviving spouse of a member of the Law Enforcement Officers' and Fire Fighters' Retirement System means the surviving widow or widower, or the ex spouse of a deceased member if the ex spouse (1) has been provided benefits by court order entered after the member's retirement and prior to December 31, 1979; and (2) the ex spouse was married to the member for at least 30 years, including at least 20 years prior to the member's collection of retirement benefits.

If two or more persons are eligible for surviving spouse benefits from one member's account, such benefits shall be divided between the surviving spouses based on the percentage of service credit accrued by the member during each marriage.

**VOTES ON FINAL PASSAGE:**

First Special Session

Senate	34	11
House	94	0

**EFFECTIVE:** September 29, 1991