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HOUSE BILL 1080

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Day, Heavey and Sprenkle.

Read first time January 18, 1991.      Referred to Committee on Appropriations.

1            AN ACT Relating to early retirement; and amending RCW 41.40.180,  
2 41.40.185, and 41.40.630.

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

4            **Sec. 1.**    RCW 41.40.180 and 1982 1st ex.s. c 52 s 21 are each  
5 amended to read as follows:

6            (1) Any member with five years of creditable service who has  
7 attained age sixty and any original member who has attained age sixty  
8 may retire on written application to the director, setting forth at  
9 what time the member desires to be retired:    PROVIDED, That in the  
10 national interest, during time of war engaged in by the United States,  
11 the director may extend beyond age sixty, subject to the provisions of  
12 subsection (2) of this section, the age at which any member may be  
13 eligible to retire.

1 (2) Any member who has completed thirty years of service may retire  
2 on written application to the director setting forth at what time the  
3 member desires to be retired, subject to war measures.

4 (3) Any member who has completed twenty-five years of service and  
5 attained age fifty-five may retire on written application to the  
6 director setting forth at what time the member desires to be retired,  
7 subject to war measures.

8 (4) Any member who has twenty years of creditable service or who is  
9 an original member, and provides services through the department of  
10 corrections in the classification of community corrections officer may  
11 retire on written application to the director setting forth at what  
12 time the member desires to be retired, subject to war measures.

13 (5) Any member covered under subsection (4) of this section who has  
14 twenty years of creditable service as a community corrections officer,  
15 or any predecessor classification, in the department of corrections may  
16 retire on written application to the director setting forth at what  
17 time the member desires to be retired, subject to war measures.

18 (6) Any individual who is eligible to retire pursuant to  
19 subsections (1) through ((+3)) (5) of this section shall be allowed to  
20 retire while on any authorized leave of absence not in excess of one  
21 hundred and twenty days.

22 **Sec. 2.** RCW 41.40.185 and 1990 c 249 s 7 are each amended to read  
23 as follows:

24 Upon retirement from service, as provided for in RCW 41.40.180 or  
25 41.40.210, a member shall be eligible for a service retirement  
26 allowance computed on the basis of the law in effect at the time of  
27 retirement, together with such post-retirement pension increases as may  
28 from time to time be expressly authorized by the legislature. The

1 service retirement allowance payable to members retiring on and after  
2 February 25, 1972 shall consist of:

3 (1) An annuity which shall be the actuarial equivalent of his or  
4 her additional contributions made pursuant to RCW 41.40.330(2).

5 (2) A membership service pension, subject to the provisions of  
6 subsection (4) of this section, which shall be equal to two percent of  
7 his or her average final compensation for each year or fraction of a  
8 year of membership service.

9 (3) A prior service pension which shall be equal to one-seventieth  
10 of his or her average final compensation for each year or fraction of  
11 a year of prior service not to exceed thirty years credited to his  
12 service accounts. In no event, except as provided in this 1972  
13 amendatory act, shall any member receive a retirement allowance  
14 pursuant to subsections (2) and (3) of this section of more than sixty  
15 percent of his or her average final compensation: PROVIDED, That no  
16 member shall receive a pension under this section of less than nine  
17 hundred dollars per annum if such member has twelve or more years of  
18 service credit, or less than one thousand and two hundred dollars per  
19 annum if such member has sixteen or more years of service credit, or  
20 less than one thousand five hundred and sixty dollars per annum if such  
21 member has twenty or more years of service credit.

22 (4) Notwithstanding the provisions of subsections (1) through (3)  
23 of this section, the retirement allowance payable for service where a  
24 member was elected or appointed pursuant to Articles II or III of the  
25 Constitution of the state of Washington or RCW 48.02.010 and the  
26 implementing statutes shall be a combined pension and annuity. Said  
27 retirement allowance shall be equal to three percent of the average  
28 final compensation for each year of such service. Any member covered  
29 by this subsection who upon retirement has served ten or more years  
30 shall receive a retirement allowance of at least one thousand two

1 hundred dollars per annum; such member who has served fifteen or more  
2 years shall receive a retirement allowance of at least one thousand  
3 eight hundred dollars per annum; and such member who has served twenty  
4 or more years shall receive a retirement allowance of at least two  
5 thousand four hundred dollars per annum: PROVIDED, That the initial  
6 retirement allowance of a member retiring only under the provisions of  
7 this subsection shall not exceed the average final compensation upon  
8 which the retirement allowance is based. The minimum benefits provided  
9 in this subsection shall apply to all retired members or to the  
10 surviving spouse of deceased members who were elected to the office of  
11 state senator or state representative.

12 (5) Any member covered under RCW 41.40.180(4) shall be eligible to  
13 receive a retirement allowance of sixty percent of the member's highest  
14 two-year average compensation.

15 **Sec. 3.** RCW 41.40.630 and 1977 ex.s. c 295 s 4 are each amended to  
16 read as follows:

17 (1) NORMAL RETIREMENT. (a) Any member with at least five years of  
18 service who has attained at least age sixty-five shall be eligible to  
19 retire and to receive a retirement allowance computed according to the  
20 provisions of RCW 41.40.620.

21 (b) Any member with at least twenty years of service who is covered  
22 under chapter 41.06 RCW in the employment of the department of  
23 corrections in the classification of community corrections officer  
24 shall be eligible to retire and to receive a retirement allowance equal  
25 to sixty percent of the member's highest two-year average compensation.

26 (2) EARLY RETIREMENT. Any member who has completed at least twenty  
27 years of service and has attained age fifty-five shall be eligible to  
28 retire and to receive a retirement allowance computed according to the  
29 provisions of RCW 41.40.620, except that a member retiring pursuant to

1 this subsection shall have the retirement allowance actuarially reduced  
2 to reflect the difference in the number of years between age at  
3 retirement and the attainment of age sixty-five.