
SENATE BILL 5415

State of Washington

52nd Legislature

1991 Regular Session

By Senators Madsen and Conner.

Read first time January 31, 1991. Referred to Committee on Ways & Means.

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.