

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5510**

52nd Legislature  
1992 Regular Session

Passed by the Senate March 7, 1992  
Yeas 47 Nays 0

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**President of the Senate**

Passed by the House March 3, 1992  
Yeas 96 Nays 0

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5510** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SENATE BILL 5510**

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AS AMENDED BY THE HOUSE

Passed Legislature - 1992 Regular Session

**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** Senators Rasmussen, Moore, Nelson, Bauer, Saling and L. Smith.

Read first time February 4, 1991. Referred to Committee on Ways & Means.

1            AN ACT Relating to Washington public employees' retirement system;  
2 amending RCW 41.40.150; creating a new section; and providing an  
3 effective date.

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

5            **Sec. 1.** RCW 41.40.150 and 1990 c 249 s 17 are each amended to read  
6 as follows:

7            Should any member die, or should the individual separate or be  
8 separated from service without leave of absence before attaining age  
9 sixty years, or should the individual become a beneficiary, except a  
10 beneficiary of an optional retirement allowance as provided by RCW  
11 41.40.188, the individual shall thereupon cease to be a member except;

12            (1) As provided in RCW 41.40.170.

13            (2) An employee not previously retired who reenters service shall  
14 upon completion of six months of continuous service and upon the  
15 restoration, in one lump sum or in annual installments, of all

1 withdrawn contributions with interest as computed by the director,  
2 which restoration must be completed within a total period of five years  
3 of membership service following the member's first resumption of  
4 employment, be returned to the status, either as an original member or  
5 new member which the member held at time of separation.

6 (3) Within the ninety days following the employee's resumption of  
7 employment, the employer shall notify the department of the resumption  
8 and the department shall then return to the employer a statement of the  
9 potential service credit to be restored, the amount of funds required  
10 for restoration, and the date when the restoration must be  
11 accomplished. The employee shall be given a copy of the statement and  
12 shall sign a copy of the statement which signed copy shall be placed in  
13 the employee's personnel file.

14 (4) A member who separates or has separated after having completed  
15 at least five years of service shall remain a member during the period  
16 of absence from service for the exclusive purpose of receiving a  
17 retirement allowance to begin at attainment of age sixty-five, however,  
18 such a member may on written notice to the director elect to receive a  
19 reduced retirement allowance on or after age sixty which allowance  
20 shall be the actuarial equivalent of the sum necessary to pay regular  
21 retirement benefits as of age sixty-five: PROVIDED, That if such  
22 member should withdraw all or part of the member's accumulated  
23 contributions except those additional contributions made pursuant to  
24 RCW 41.40.330(2), the individual shall thereupon cease to be a member  
25 and this section shall not apply.

26 (5)(a) The recipient of a retirement allowance who is employed in  
27 an eligible position other than under RCW 41.40.120(12) shall be  
28 considered to have terminated his or her retirement status and shall  
29 immediately become a member of the retirement system with the status of  
30 membership the member held as of the date of retirement. Retirement

1 benefits shall be suspended during the period of eligible employment  
2 and the individual shall make contributions and receive membership  
3 credit. Such a member shall have the right to again retire if eligible  
4 in accordance with RCW 41.40.180: PROVIDED, That where any such right  
5 to retire is exercised to become effective before the member has  
6 rendered two uninterrupted years of service the type of retirement  
7 allowance the member had at the time of the member's previous  
8 retirement shall be reinstated;

9 (b) The recipient of a retirement allowance elected to office or  
10 appointed to office directly by the governor, and who shall apply for  
11 and be accepted in membership as provided in RCW 41.40.120(3) shall be  
12 considered to have terminated his or her retirement status and shall  
13 become a member of the retirement system with the status of membership  
14 the member held as of the date of retirement. Retirement benefits  
15 shall be suspended from the date of return to membership until the date  
16 when the member again retires and the member shall make contributions  
17 and receive membership credit. Such a member shall have the right to  
18 again retire if eligible in accordance with RCW 41.40.180: PROVIDED,  
19 That where any such right to retire is exercised to become effective  
20 before the member has rendered six uninterrupted months of service the  
21 type of retirement allowance the member had at the time of the member's  
22 previous retirement shall be reinstated, but no additional service  
23 credit shall be allowed: AND PROVIDED FURTHER, That if such a  
24 recipient of a retirement allowance does not elect to apply for reentry  
25 into membership as provided in RCW 41.40.120(3), the member shall be  
26 considered to remain in a retirement status and the individual's  
27 retirement benefits shall continue without interruption.

28 (6) Any member who leaves the employment of an employer and enters  
29 the employ of a public agency or agencies of the state of Washington,  
30 other than those within the jurisdiction of the Washington public

1 employees' retirement system, and who establishes membership in a  
2 retirement system or a pension fund operated by such agency or agencies  
3 and who shall continue membership therein until attaining age sixty,  
4 shall remain a member for the exclusive purpose of receiving a  
5 retirement allowance without the limitation found in RCW 41.40.180(1)  
6 to begin on attainment of age sixty-five; however, such a member may on  
7 written notice to the director elect to receive a reduced retirement  
8 allowance on or after age sixty which allowance shall be the actuarial  
9 equivalent of the sum necessary to pay regular retirement benefits  
10 commencing at age sixty-five: PROVIDED, That if such member should  
11 withdraw all or part of the member's accumulated contributions except  
12 those additional contributions made pursuant to RCW 41.40.330(2), the  
13 individual shall thereupon cease to be a member and this section shall  
14 not apply.

15 NEW SECTION. **Sec. 2.** The department of retirement systems  
16 shall incorporate the development of individual member accounts  
17 receivable into its information systems projects for fiscal years 1993  
18 and 1994, so that by January 1, 1994, members of state retirement  
19 systems who are otherwise eligible to restore previously withdrawn  
20 contributions have the option to make the restoration in annual  
21 installments.

22 NEW SECTION. **Sec. 3.** Section 1 of this act shall take effect  
23 January 1, 1994.