

1 2028 AMS WM

2 **HB 2028** - S COMM AMD

3 By Committee on Ways & Means

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5 On page 1, at the beginning of line 7, insert "(1)"

6 On page 1, after line 14, insert the following:

7 "(2) Neither this section nor any other provision in this chapter
8 or chapter 41.26, 41.32, 41.40, 41.54, or 43.43 RCW authorize the
9 extension of statutory restore deadlines for members who do not receive
10 notice of their eligibility to restore withdrawn contributions. This
11 subsection applies retroactively to restoration periods which expired
12 prior to the effective date of this act."

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16 On page 1, after line 14, insert the following:

17 "**Sec. 2.** RCW 41.40.058 and 1987 c 417 s 1 are each amended to read
18 as follows:

19 (1) Any person who was a member of the state-wide city employees'
20 retirement system governed by chapter 41.44 RCW and who also became a
21 member of the public employees' retirement system on or before July 26,
22 1987, may, in a writing filed with the director, elect to:

23 (a) Transfer to the public employees' retirement system all service
24 currently credited under chapter 41.44 RCW;

25 (b) Reestablish and transfer to the public employees' retirement
26 system all service which was previously credited under chapter 41.44
27 RCW but which was canceled by discontinuance of service and withdrawal
28 of accumulated contributions as provided in RCW 41.44.190. The service
29 may be reestablished and transferred only upon payment by the member to
30 the employees' savings fund of the public employees' retirement system
31 of the amount withdrawn plus interest thereon from the date of
32 withdrawal until the date of payment at a rate determined by the

1 director. No additional payments are required for service credit
2 described in this subsection if already established under this chapter;
3 and

4 (c) Establish service credit for the initial period of employment
5 not to exceed six months, prior to establishing membership under
6 chapter 41.44 RCW, upon payment in full by the member of the total
7 employer's contribution to the benefit account fund of the public
8 employees' retirement system that would have been made under this
9 chapter when the initial service was rendered. The payment shall be
10 based on the first month's compensation earnable as a member of the
11 state-wide city employees' retirement system and as defined in RCW
12 41.44.030(13). However, a person who has established service credit
13 under RCW 41.40.010(~~((+11))~~)(13) (c) or (d) shall not establish
14 additional credit under this subsection nor may anyone who establishes
15 credit under this subsection establish any additional credit under RCW
16 41.40.010(~~((+11))~~)(13) (c) or (d). No additional payments are required
17 for service credit described in this subsection if already established
18 under this chapter.

19 (2)(a) In the case of a member of the public employees' retirement
20 system who is employed by an employer on July 26, 1987, the written
21 election required by subsection (1) of this section must be filed and
22 the payments required by subsection (1)(b) and (c) of this section must
23 be completed (~~((in full within one year after July 26, 1987))~~) by
24 December 31, 1993.

25 (b) In the case of a former member of the public employees'
26 retirement system who is not employed by an employer on July 26, 1987,
27 the written election must be filed and the payments must be completed
28 in full within one year after reemployment by an employer.

29 (c) In the case of a retiree receiving a retirement allowance from
30 the public employees' retirement system on July 26, 1987, or any person
31 having vested rights as described in RCW 41.40.150 (~~((+3) or (+5))~~) (4),
32 the written election may be filed and the payments may be completed at
33 any time.

34 (3) Upon receipt of the written election and payments required by
35 subsection (1) of this section from any retiree described in subsection
36 (2)(c) of this section, the department shall recompute the retiree's
37 allowance in accordance with this section and shall pay any additional
38 benefit resulting from such recomputation retroactively to the date of
39 retirement from the system governed by this chapter."

1 Renumber the remaining sections consecutively and correct any
2 internal references accordingly.

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6 On page 1, line 2 of the title, after "contributions;" insert
7 "amending RCW 41.40.058;"

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11 On page 1, after line 14, insert the following:

12 "NEW SECTION. **Sec. 2.** A new section is added to chapter 41.40 +9-
13 RCW, under the subchapter heading "plan I," to read as follows:

14 Any active member or separated member who was not eligible to
15 restore contributions under section 3, chapter 317, Laws of 1986,
16 solely because he or she was an elected official, other than an elected
17 official under Articles II or III of the Constitution of the state of
18 Washington, shall be permitted to restore withdrawn contributions for
19 periods of nonelected service no later than June 30, 1994, with
20 interest as determined by the director."

21 Renumber the remaining sections consecutively and correct any
22 internal references accordingly.

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26 On page 1, line 3 of the title, after "41.50 RCW;" insert "adding
27 a new section to chapter 41.40 RCW;"

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