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HOUSE BILL 2113

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State of Washington

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By Representatives Jones, Foreman, Kremen, Holm, Jacobsen, Morton, Basich, Van Luven, Dellwo, Roland, Heavey, Linville, Appelwick, Quall and Anderson

Read first time 04/01/93. Referred to Committee on Appropriations.

1 AN ACT Relating to military service credit; and amending RCW  
2 41.40.710.

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

4 **Sec. 1.** RCW 41.40.710 and 1992 c 119 s 3 are each amended to read  
5 as follows:

6 (1) A member who is on a paid leave of absence authorized by a  
7 member's employer shall continue to receive service credit as provided  
8 for under the provisions of RCW 41.40.610 through 41.40.740.

9 (2) Except as specified in subsection (3) of this section, a member  
10 shall be eligible to receive a maximum of two years service credit  
11 during a member's entire working career for those periods when a member  
12 is on an unpaid leave of absence authorized by an employer. Such  
13 credit may be obtained only if the member makes both the plan II  
14 employer and member contributions plus interest as determined by the  
15 department for the period of the authorized leave of absence within  
16 five years of resumption of service or prior to retirement whichever  
17 comes sooner. The contributions required shall be based on the average  
18 of the member's compensation earnable at both the time the authorized

1 leave of absence was granted and the time the member resumed  
2 employment.

3 (3) A member who leaves the employ of an employer to enter the  
4 armed forces of the United States shall be entitled to retirement  
5 system service credit for up to four years of military service.

6 (a) The member qualifies for service credit under this subsection  
7 if:

8 (i) Within ninety days of the member's honorable discharge from the  
9 United States armed forces, the member applies for reemployment with  
10 the employer who employed the member immediately prior to the member  
11 entering the United States armed forces; and

12 (ii) The member makes the employee contributions required under RCW  
13 41.40.650 plus interest as determined by the department within five  
14 years of resumption of service or prior to retirement, whichever comes  
15 sooner.

16 (b) Upon receipt of member contributions under (a)(ii) of this  
17 subsection, the department shall bill the employer for its contribution  
18 required under RCW 41.40.650 for the period of military service, plus  
19 interest as determined by the department.

20 (c) The contributions required shall be based on the average of the  
21 member's compensation earnable at both the time the member left the  
22 employ of the employer to enter the armed forces and the time the  
23 member resumed employment.

24 (4) After completing twenty-five years of creditable service, any  
25 member who is a veteran of the Vietnam conflict may have service in the  
26 armed forces credited to him or her as a member whether or not he or  
27 she left the employ of an employer to enter the armed service:  
28 PROVIDED, That in no instance under this subsection may military  
29 service in excess of five years be credited: AND PROVIDED FURTHER,  
30 That in each instance the member must restore all withdrawn accumulated  
31 contributions, which restoration must be completed within five years of  
32 membership service following the first resumption of employment or  
33 complete twenty-five years of creditable service. In no instance under  
34 this subsection may military service be credited to any member who is  
35 receiving full military retirement benefits pursuant to Title 10 United  
36 States Code. For the purposes of this section, "veteran of the Vietnam  
37 conflict" means a person who (a) served during the period beginning  
38 August 5, 1964, and ending May 7, 1975, (b) received an honorable  
39 discharge or received a discharge for physical reasons with an

- 1 honorable record, and (c) meets one or more of the criteria listed in
- 2 RCW 41.04.005 (1) and (2).

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