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HOUSE BILL 2666

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State of Washington

55th Legislature

1998 Regular Session

By Representatives Appelwick and O'Brien

Read first time 01/16/98. Referred to Committee on Appropriations.

1 AN ACT Relating to the benefits of an ex spouse in the law  
2 enforcement officers' and fire fighters' retirement system; and  
3 amending RCW 41.26.162.

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

5 **Sec. 1.** RCW 41.26.162 and 1991 sp.s. c 12 s 2 are each amended to  
6 read as follows:

7 (1) An ex spouse of a law enforcement officers' and fire fighters'  
8 retirement system retiree shall qualify as surviving spouse under RCW  
9 41.26.160 if the ex spouse:

10 (a) Has been provided benefits under any currently effective court  
11 decree of dissolution or legal separation or in any court order or  
12 court-approved property settlement agreement incident to any court  
13 decree of dissolution or legal separation entered after the member's  
14 retirement ((and prior to December 31, 1979)); and

15 (b) Was married to the retiree ((for at least thirty years,  
16 including at least twenty years)) prior to the member's retirement or  
17 separation from service if a vested member.

18 (2) If two or more persons are eligible for a surviving spouse  
19 benefit under this subsection, benefits shall be divided between the

1 surviving spouses based on the percentage of total service credit the  
2 member accrued during each marriage.  
3 (3) This section shall apply retroactively.

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