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SENATE BILL 6387

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State of Washington                      55th Legislature                      1998 Regular Session

By Senators Fraser, Swecker, Fairley, Rasmussen and Winsley

Read first time 01/16/98. Referred to Committee on Ways & Means.

1            AN ACT Relating to authorizing deductions from retirement  
2 allowances for charitable purposes; and reenacting and amending RCW  
3 41.40.052.

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

5            **Sec. 1.** RCW 41.40.052 and 1991 c 365 s 22 and 1991 c 35 s 92 are  
6 each reenacted and amended to read as follows:

7            (1) Subject to subsections (2) and (3) of this section, the right  
8 of a person to a pension, an annuity, or retirement allowance, any  
9 optional benefit, any other right accrued or accruing to any person  
10 under the provisions of this chapter, the various funds created by this  
11 chapter, and all moneys and investments and income thereof, are hereby  
12 exempt from any state, county, municipal, or other local tax, and shall  
13 not be subject to execution, garnishment, attachment, the operation of  
14 bankruptcy or insolvency laws, or other process of law whatsoever, and  
15 shall be unassignable.

16            (2)(a) This section shall not be deemed to prohibit a beneficiary  
17 of a retirement allowance from authorizing deductions therefrom for  
18 payment of premiums due on any group insurance policy or plan issued  
19 for the benefit of a group comprised of public employees of the state

1 of Washington or its political subdivisions and which has been approved  
2 for deduction in accordance with rules that may be adopted by the state  
3 health care authority and/or the department, and this section shall not  
4 be deemed to prohibit a beneficiary of a retirement allowance from  
5 authorizing deductions therefrom for payment of dues and other  
6 membership fees to any retirement association or organization the  
7 membership of which is composed of retired public employees, if a total  
8 of three hundred or more of such retired employees have authorized such  
9 deduction for payment to the same retirement association or  
10 organization.

11 (b) This section does not prohibit a beneficiary of a retirement  
12 allowance from authorizing deductions from that allowance for  
13 charitable purposes on the same terms as employees and public officers  
14 under RCW 41.04.035 and 41.04.036.

15 (3) Subsection (1) of this section shall not prohibit the  
16 department from complying with (a) a wage assignment order for child  
17 support issued pursuant to chapter 26.18 RCW, (b) an order to withhold  
18 and deliver issued pursuant to chapter 74.20A RCW, (c) a notice of  
19 payroll deduction issued pursuant to RCW 26.23.060, (d) a mandatory  
20 benefits assignment order issued by the department, (e) a court order  
21 directing the department of retirement systems to pay benefits directly  
22 to an obligee under a dissolution order as defined in RCW 41.50.500(3)  
23 which fully complies with RCW 41.50.670 and 41.50.700, or (f) any  
24 administrative or court order expressly authorized by federal law.

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