
SUBSTITUTE HOUSE BILL 2414

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Education (originally sponsored by Representatives Stensen, Carlson, Keiser, Talcott, Santos, Quall, Haigh, Schual-Berke, Rockefeller, O'Brien, Edwards, Lantz, Ogden and Bush)

Read first time 02/01/2000. Referred to Committee on .

1 AN ACT Relating to death benefits for school employees; adding a
2 new section to chapter 41.32 RCW; adding a new section to chapter 41.35
3 RCW; adding a new section to chapter 41.40 RCW; creating a new section;
4 repealing 1999 c 309 s 718 (uncodified); providing an effective date;
5 and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that schools are
8 not always the havens of safety and learning that they ought to be. In
9 recent years, serious violence has erupted at schools both in the state
10 of Washington and across the nation.

11 (2) The legislature finds that school employees who entered the
12 field of education did not choose the profession knowing their lives
13 could be at risk by virtue of being on school grounds performing their
14 normal duties.

15 (3) The legislature recognizes that all school employees, whether
16 they are principals and other administrators, teachers, or classified
17 employees, have had their lives threatened, have been in harm's way,
18 and in some cases have been killed due to working with students who

1 possess firearms and due to other dangerous circumstances and
2 conditions.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.32 RCW
4 under the subchapter heading "provisions applicable to plan 1, plan 2,
5 and plan 3" to read as follows:

6 (1) A one hundred fifty thousand dollar death benefit shall be paid
7 to the estate, as provided in subsection (2) of this section, of a
8 member of any plan under this chapter who is an employee in the common
9 school system of the state and who is killed in the course of
10 employment. The determination of eligibility for the benefit shall be
11 made consistent with Title 51 RCW by the department of labor and
12 industries. The department of labor and industries shall notify the
13 department of retirement systems by order under RCW 51.52.050.

14 (2) If it is determined that the benefit applies under subsection
15 (1) of this section, the benefit shall be paid to such person or
16 persons, trust, or organization as the member shall have nominated by
17 written designation duly executed and filed with the department. If
18 there be no such designated person or persons still living at the time
19 of the member's death, such member's death benefit shall be paid to the
20 member's surviving spouse as if in fact such spouse had been nominated
21 by written designation, or if there be no such surviving spouse, then
22 to such member's legal representatives.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.35 RCW
24 under the subchapter heading "provisions applicable to plan 2 and plan
25 3" to read as follows:

26 (1) A one hundred fifty thousand dollar death benefit shall be paid
27 to the estate, as provided in subsection (2) of this section, of a
28 member of any plan under this chapter who is an employee in the common
29 school system of the state and who is killed in the course of
30 employment. The determination of eligibility for the benefit shall be
31 made consistent with Title 51 RCW by the department of labor and
32 industries. The department of labor and industries shall notify the
33 department of retirement systems by order under RCW 51.52.050.

34 (2) If it is determined that the benefit applies under subsection
35 (1) of this section, the benefit shall be paid to such person or
36 persons, trust, or organization as the member shall have nominated by
37 written designation duly executed and filed with the department. If

1 there be no such designated person or persons still living at the time
2 of the member's death, such member's death benefit shall be paid to the
3 member's surviving spouse as if in fact such spouse had been nominated
4 by written designation, or if there be no such surviving spouse, then
5 to such member's legal representatives.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 41.40 RCW
7 under the subchapter heading "provisions applicable to plan 1 and plan
8 2" to read as follows:

9 (1) A one hundred fifty thousand dollar death benefit shall be paid
10 to the estate, as provided in subsection (2) of this section, of a
11 member of any plan under this chapter who is an employee in the common
12 school system of the state and who is killed in the course of
13 employment. The determination of eligibility for the benefit shall be
14 made consistent with Title 51 RCW by the department of labor and
15 industries. The department of labor and industries shall notify the
16 department of retirement systems by order under RCW 51.52.050.

17 (2) If it is determined that the benefit applies under subsection
18 (1) of this section, the benefit shall be paid to such person or
19 persons, trust, or organization as the member shall have nominated by
20 written designation duly executed and filed with the department. If
21 there be no such designated person or persons still living at the time
22 of the member's death, such member's death benefit shall be paid to the
23 member's surviving spouse as if in fact such spouse had been nominated
24 by written designation, or if there be no such surviving spouse, then
25 to such member's legal representatives.

26 NEW SECTION. **Sec. 5.** 1999 c 309 s 718 (uncodified) is repealed.

27 NEW SECTION. **Sec. 6.** Sections 1, 2, 4, and 5 of this act are
28 necessary for the immediate preservation of the public peace, health,
29 or safety, or support of the state government and its existing public
30 institutions, and take effect immediately.

31 NEW SECTION. **Sec. 7.** Section 3 of this act takes effect September
32 1, 2000.

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