

# SENATE BILL REPORT

## SB 5281

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As of February 22, 2001

**Title:** An act relating to rescinding a retirement allowance agreement.

**Brief Description:** Rescinding retirement benefits for restraining order violations.

**Sponsors:** Senators Shin, Costa, Prentice, Rasmussen, Kline and Kohl-Welles.

**Brief History:**

**Committee Activity:** Judiciary: 2/26/01.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Lilah Amos (786-7421)

**Background:** Upon retirement, a member of the Public Employees Retirement System Plan 1 (PERS I) may choose either a standard allowance payable for the member's life or a reduced retirement allowance with a survivor benefit which continues after the death of the retiree. The survivor option and beneficiary must be selected at retirement and cannot later be changed, even if the relationship between the retiree and the beneficiary changes.

**Summary of Bill:** If the retiree of a PERS I reduced retirement allowance with a survivor benefit obtains a restraining order against the beneficiary, and the beneficiary is then found by a court to have violated the restraining order, the retiree can apply to the court for permission to rescind the beneficiary designation. The retiree must forward a certified copy of the court order authorizing the rescission of beneficiary designation to the department of retirement systems. The rescission is effective upon receipt. The retirement benefit of the retiree does not increase as a result of the rescission, and the retiree may not select another beneficiary.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.