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HOUSE BILL 1004

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Morris and Doumit

Read first time 01/08/2001. Referred to Committee on Appropriations.

1 AN ACT Relating to adjusting disability payments; amending RCW  
2 41.24.150; and declaring an emergency.

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

4 **Sec. 1.** RCW 41.24.150 and 1999 c 148 s 13 are each amended to read  
5 as follows:

6 (1)(a) Whenever a participant becomes physically or mentally  
7 disabled, injured, or sick, in consequence or as the result of the  
8 performance of his or her duties, so as to be wholly prevented from  
9 engaging in each and every duty of his or her regular occupation,  
10 business, or profession, he or she shall be paid from the principal  
11 fund monthly, an amount (i) equal to his or her monthly wage as  
12 certified by the local board or (ii) two thousand five hundred fifty  
13 dollars, whichever is less, for a period not to exceed six months, or  
14 an amount equal to his or her daily wage as certified by the local  
15 board or eighty-five dollars, whichever is less, per day for such  
16 period as is part of a month, after which period, if the member is  
17 incapacitated to such an extent that he or she is thereby prevented  
18 from engaging in any occupation or performing any work for compensation  
19 or profit or if the member sustained an injury after October 1, 1978,

1 which resulted in the loss or paralysis of both legs or arms, or one  
2 leg and one arm, or total loss of eyesight, but such injury has not  
3 prevented the member from engaging in an occupation or performing work  
4 for compensation or profit, he or she is entitled to draw from the fund  
5 monthly, the sum of one thousand two hundred seventy-five dollars so  
6 long as the disability continues, except as provided. However, if the  
7 participant has a wife or husband and/or a child or children  
8 unemancipated or under eighteen years of age, he or she is entitled to  
9 draw from the fund monthly the additional sums of two hundred fifty-  
10 five dollars because of the fact of his wife or her husband, and one  
11 hundred ten dollars because of the fact of each child unemancipated or  
12 under eighteen years of age, all to a total maximum amount of two  
13 thousand five hundred fifty dollars.

14 (b) Beginning on July 1, 2001, and each July 1st thereafter, the  
15 compensation amount specified in (a)(ii) of this subsection shall be  
16 readjusted to reflect the percentage change in the consumer price  
17 index, calculated as follows: The index for the calendar year  
18 preceding the year in which the July calculation is made, to be known  
19 as "calendar year A," is divided by the index for the calendar year  
20 preceding calendar year A, and the resulting ratio is multiplied by the  
21 compensation amount in effect on June 30th immediately preceding the  
22 July 1st on which the respective calculation is made. For the purposes  
23 of this subsection, "index" means the same as the definition in RCW  
24 2.12.037(1).

25 (2) The state board may at any time reopen the grant of such  
26 disability pension if the pensioner is gainfully employed, and may  
27 reduce it in the proportion that the annual income from such gainful  
28 employment bears to the annual income received by the pensioner at the  
29 time of his or her disability.

30 (3) Where a participant sustains a permanent partial disability the  
31 state board may provide that the injured participant receive a lump sum  
32 compensation therefor to the same extent as is provided for permanent  
33 partial disability under the workers' compensation act under Title 51  
34 RCW in lieu of such monthly disability payments.

35 NEW SECTION. Sec. 2. This act is necessary for the immediate  
36 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect  
2 immediately.

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