
SENATE BILL 5522

State of Washington

59th Legislature

2005 Regular Session

By Senators Franklin, Weinstein, Keiser, Kastama, Zarelli, Rasmussen, Hewitt, Kline, Schmidt and Rockefeller

Read first time 01/26/2005. Referred to Committee on Ways & Means.

1 AN ACT Relating to purchasing service credit lost due to injury;
2 and adding a new section to chapter 41.40 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.40 RCW
5 under the subchapter heading "provisions applicable to plan 1, plan 2,
6 and plan 3" to read as follows:

7 (1) A member who is injured while acting in the course of
8 employment, is unable to work in an eligible position, and is receiving
9 a benefit under Title 51 RCW may purchase lost service credit under
10 this section.

11 (2) A member under subsection (1) of this section is entitled to
12 retirement system service credit for up to two years.

13 (a) The member qualifies for service credit under this subsection
14 if:

15 (i) Within ninety days of when the member is able to return to work
16 and benefits under Title 51 RCW have ceased, the member applies for
17 reemployment with the employer who employed the member immediately
18 prior to the member incurring injury; and

1 (ii) The member makes the required employee contributions within
2 five years of resumption of service in any eligible position or prior
3 to retirement, whichever comes sooner; or

4 (iii) Prior to retirement and not within ninety days of the date
5 under (a)(i) of this subsection or five years of resumption of service
6 the member pays the amount required under RCW 41.50.165(2).

7 (b) Upon receipt of member contributions under (a)(ii) of this
8 subsection, the department shall establish the member's service credit
9 and shall bill the employer at the time of the injury for its
10 contribution for the period of lost service credit, plus interest as
11 determined by the department.

12 (c) The contributions required under (a)(ii) of this subsection
13 shall be based on the compensation the member would have earned if not
14 injured, or if that cannot be estimated with reasonable certainty, the
15 compensation reported for the member in the year prior to when the
16 injury occurred.

--- END ---