
HOUSE BILL 2196

State of Washington

61st Legislature

2009 Regular Session

By Representatives Ericks and Ormsby

Read first time 02/12/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to including service credit transferred from the
2 law enforcement officers' and firefighters' retirement system plan 1 in
3 the determination of eligibility for military service credit; and
4 amending RCW 41.26.195.

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

6 **Sec. 1.** RCW 41.26.195 and 2007 c 492 s 9 are each amended to read
7 as follows:

8 Any member of the teachers' retirement system plans 1, 2, or 3, the
9 public employees' retirement system plans 1, 2, or 3, the public safety
10 employees' retirement system plan 2, the school employees' retirement
11 system plans 2 or 3, or the Washington state patrol retirement system
12 plans 1 or 2 who has previously established service credit in the law
13 enforcement officers' and firefighters' retirement system plan 1 may
14 make an irrevocable election to have such service transferred to their
15 current retirement system and plan subject to the following conditions:

16 (1) If the individual is employed by an employer in an eligible
17 position, as of July 1, 1997, the election to transfer service must be
18 filed in writing with the department no later than July 1, 1998. If
19 the individual is not employed by an employer in an eligible position,

1 as of July 1, 1997, the election to transfer service must be filed in
2 writing with the department no later than one year from the date they
3 are employed by an employer in an eligible position.

4 (2) An individual transferring service under this section forfeits
5 the rights to all benefits as a member of the law enforcement officers'
6 and firefighters' retirement system plan 1 and will be permanently
7 excluded from membership.

8 (3) Any individual choosing to transfer service under this section
9 will have transferred to their current retirement system and plan: (a)
10 All the individual's accumulated contributions; (b) an amount
11 sufficient to ensure that the employer contribution rate in the
12 individual's current system and plan will not increase due to the
13 transfer; and (c) all applicable months of service, as defined in RCW
14 41.26.030(14)(a).

15 (4) If an individual has withdrawn contributions from the law
16 enforcement officers' and firefighters' retirement system plan 1, the
17 individual may restore the contributions, together with interest as
18 determined by the director, and recover the service represented by the
19 contributions for the sole purpose of transferring service under this
20 section. The contributions must be restored before the transfer can
21 occur and the restoration must be completed within the time limitations
22 specified in subsection (1) of this section.

23 (5) (~~Any service transferred under this section does not apply to~~
24 ~~the eligibility requirements~~)) Service transferred under this section
25 is applicable for meeting the total service required for military
26 service credit as defined in RCW 41.40.170(3) or 43.43.260(3). This
27 subsection applies to members who retired on or after January 1, 1998.

28 (6) If an individual does not meet the time limitations of
29 subsection (1) of this section, the individual may elect to restore any
30 withdrawn contributions and transfer service under this section by
31 paying the amount required under subsection (3)(b) of this section less
32 any employee contributions transferred.

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