
HOUSE BILL 3153

State of Washington

61st Legislature

2010 Regular Session

By Representative Conway

Read first time 01/29/10. Referred to Committee on Ways & Means.

1 AN ACT Relating to designation of a spouse for certain survivor
2 benefits under the firefighters' relief and pensions act of 1955; and
3 amending RCW 41.18.042.

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

5 **Sec. 1.** RCW 41.18.042 and 2009 c 156 s 1 are each amended to read
6 as follows:

7 (1) Any retired firefighter married to a spouse ineligible for
8 survivor benefits under RCW 41.18.040, 41.18.080, and 41.18.100 may
9 choose an actuarially equivalent benefit adopted by the board that pays
10 the retired firefighter a reduced retirement allowance, and upon death
11 such portion of the retired firefighter's reduced retirement allowance
12 as designated by the retired firefighter shall be continued throughout
13 the life of the spouse.

14 (2) A retired firefighter who married a spouse ineligible for
15 survivor benefits under RCW 41.18.040, 41.18.080, and 41.18.100 prior
16 to July 26, 2009, has one year after July 26, 2009, to designate their
17 spouse as a survivor beneficiary.

18 (3) A retired firefighter who married, on or after July 26, 2009,
19 a spouse ineligible for survivor benefits under RCW 41.18.040,

1 41.18.080, and 41.18.100 may designate their spouse as a survivor
2 beneficiary during a one-year period beginning one year after the date
3 of marriage to the spouse ineligible for survivor benefits.

4 (4) The benefit provided to a child survivor beneficiary under RCW
5 41.18.040, 41.18.080, and 41.18.100 shall not be affected or reduced by
6 the retired firefighter's selection of the actuarially reduced spousal
7 survivor benefit provided by this section, and shall be equivalent to
8 the amount payable as if the choice under subsection (1) of this
9 section was not made.

10 ~~((4))~~ (5)(a) Any retired firefighter who chose to receive a
11 reduced retirement allowance under subsection (1) of this section is
12 entitled to receive a retirement allowance adjusted in accordance with
13 (b) of this subsection if:

14 (i) The retiree's survivor spouse designated in subsection (1) of
15 this section predeceases the retiree; and

16 (ii) The retiree provides to the board proper proof of the
17 designated beneficiary's death.

18 (b) The retirement allowance payable to the retiree from the
19 beginning of the month following the date of the beneficiary's death
20 shall be the current monthly amount payable as if the selection under
21 subsection (1) of this section was not made.

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