

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5303**

61st Legislature  
2009 Regular Session

Passed by the Senate March 12, 2009  
YEAS 46 NAYS 0

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**President of the Senate**

Passed by the House April 13, 2009  
YEAS 97 NAYS 0

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5303** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SENATE BILL 5303**

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Passed Legislature - 2009 Regular Session

**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** Senators Hobbs, Schoesler, Holmquist, Kilmer, Fraser, and Roach; by request of Select Committee on Pension Policy

Read first time 01/20/09. Referred to Committee on Ways & Means.

1       AN ACT Relating to the transfer of public employees' retirement  
2 system plan 2 members to the school employees' retirement system plan  
3 2; and amending RCW 41.40.750.

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

5       **Sec. 1.** RCW 41.40.750 and 2001 2nd sp.s. c 10 s 13 are each  
6 amended to read as follows:

7       (1) Effective September 1, 2000, the membership of all plan 2  
8 members currently employed in eligible positions in a school district  
9 or educational service district and all plan 2 service credit for such  
10 members, is transferred to the Washington school employees' retirement  
11 system plan 2. Plan 2 members who have withdrawn their member  
12 contributions for prior plan 2 service may restore contributions and  
13 service credit to the Washington school employees' retirement system  
14 plan 2 as provided under RCW 41.40.740.

15       (2)(a) The membership and previous service credit of a plan 2  
16 member not employed in an eligible position on September 1, 2000, will  
17 be transferred to the Washington school employees' retirement system  
18 plan 2 when he or she becomes employed in an eligible position prior to  
19 August 1, 2009. Plan 2 members not employed in an eligible position on

1 September 1, 2000, who have withdrawn their member contributions for  
2 prior plan 2 service may restore contributions and service credit to  
3 the Washington school employees' retirement system plan 2 as provided  
4 under RCW 41.40.740, if they first establish eligibility in the  
5 Washington school employees' retirement system plan 2 prior to August  
6 1, 2009.

7 (b) The membership and previous service credit of a plan 2 member  
8 last employed by a school district or educational service district and  
9 retired prior to September 1, 2000, will be transferred to the  
10 Washington school employees' retirement system plan 2 if the member  
11 opts to reestablish membership prior to August 1, 2009.

12 (3) Members who restore contributions and service credit under  
13 subsection (1) or (2) of this section shall have their contributions  
14 and service credit transferred to the Washington school employees'  
15 retirement system.

16 (4) From September 1, 2009, through November 30, 2009, upon written  
17 request to the department, active and inactive members transferred  
18 under subsection (2) of this section who did not establish membership  
19 and earn service credit for employment with a school district or  
20 educational service district prior to the transfer, and who have not  
21 transferred to plan 3 of the Washington school employees' retirement  
22 system or plan 3 of the public employees' retirement system, may  
23 restore their transferred membership and previous service credit to  
24 plan 2. All previously transferred contributions and interest, and  
25 additional interest as determined by the department, shall be returned  
26 to plan 2. An additional amount shall be transferred from the  
27 Washington school employees' retirement system sufficient to offset the  
28 liabilities returned to plan 2 under this subsection, as determined by  
29 the state actuary.

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