
SENATE BILL 5651

State of Washington

63rd Legislature

2013 Regular Session

By Senators McAuliffe, Conway, Keiser, Hatfield, Hobbs, Hasegawa, and Chase

Read first time 02/06/13. Referred to Committee on Ways & Means.

1 AN ACT Relating to postretirement employment; and amending RCW
2 41.32.765, 41.32.875, 41.35.420, 41.35.680, 41.40.630, and 41.40.820.

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

4 **Sec. 1.** RCW 41.32.765 and 2012 1st sp.s. c 7 s 1 are each amended
5 to read as follows:

6 (1) NORMAL RETIREMENT. Any member with at least five service
7 credit years of service who has attained at least age sixty-five shall
8 be eligible to retire and to receive a retirement allowance computed
9 according to the provisions of RCW 41.32.760.

10 (2) EARLY RETIREMENT. Any member who has completed at least twenty
11 service credit years of service who has attained at least age fifty-
12 five shall be eligible to retire and to receive a retirement allowance
13 computed according to the provisions of RCW 41.32.760, except that a
14 member retiring pursuant to this subsection shall have the retirement
15 allowance actuarially reduced to reflect the difference in the number
16 of years between age at retirement and the attainment of age sixty-
17 five.

18 (3) ALTERNATE EARLY RETIREMENT.

1 (a) Any member who has completed at least thirty service credit
2 years and has attained age fifty-five shall be eligible to retire and
3 to receive a retirement allowance computed according to the provisions
4 of RCW 41.32.760, except that a member retiring pursuant to this
5 subsection shall have the retirement allowance reduced by three percent
6 per year to reflect the difference in the number of years between age
7 at retirement and the attainment of age sixty-five.

8 (b) On or after September 1, 2008, any member who has completed at
9 least thirty service credit years and has attained age fifty-five shall
10 be eligible to retire and to receive a retirement allowance computed
11 according to the provisions of RCW 41.32.760, except that a member
12 retiring pursuant to this subsection shall have the retirement
13 allowance reduced as follows:

14	Retirement	Percent
15	Age	Reduction
16	55	20%
17	56	17%
18	57	14%
19	58	11%
20	59	8%
21	60	5%
22	61	2%
23	62	0%
24	63	0%
25	64	0%

26 ~~((Any member who retires under the provisions of this subsection is~~
27 ~~ineligible for the postretirement employment provisions of RCW~~
28 ~~41.32.802(2) until the retired member has reached sixty five years of~~
29 ~~age. For purposes of this subsection, employment with an employer also~~
30 ~~includes any personal service contract, service by an employer as a~~
31 ~~temporary or project employee, or any other similar compensated~~
32 ~~relationship with any employer included under the provisions of RCW~~
33 ~~41.32.800(1).))~~

34 The subsidized reductions for alternate early retirement in this
35 subsection as set forth in section 2, chapter 491, Laws of 2007 were

1 intended by the legislature as replacement benefits for gain-sharing.
2 Until there is legal certainty with respect to the repeal of chapter
3 41.31A RCW, the right to retire under this subsection is
4 noncontractual, and the legislature reserves the right to amend or
5 repeal this subsection. Legal certainty includes, but is not limited
6 to, the expiration of any: Applicable limitations on actions; and
7 periods of time for seeking appellate review, up to and including
8 reconsideration by the Washington supreme court and the supreme court
9 of the United States. Until that time, eligible members may still
10 retire under this subsection, and upon receipt of the first installment
11 of a retirement allowance computed under this subsection, the resulting
12 benefit becomes contractual for the recipient. If the repeal of
13 chapter 41.31A RCW is held to be invalid in a final determination of a
14 court of law, and the court orders reinstatement of gain-sharing or
15 other alternate benefits as a remedy, then retirement benefits for any
16 member who has completed at least thirty service credit years and has
17 attained age fifty-five but has not yet received the first installment
18 of a retirement allowance under this subsection shall be computed using
19 the reductions in (a) of this subsection.

20 (c) Members who first become employed by an employer in an eligible
21 position on or after May 1, 2013, are not eligible for the alternate
22 early retirement provisions of (a) or (b) of this subsection. Any
23 member who first becomes employed by an employer in an eligible
24 position on or after May 1, 2013, and has completed at least thirty
25 service credit years and has attained age fifty-five shall be eligible
26 to retire and to receive a retirement allowance computed according to
27 the provisions of RCW 41.32.760, except that a member retiring pursuant
28 to this subsection shall have the retirement allowance reduced by five
29 percent per year to reflect the difference in the number of years
30 between age at retirement and the attainment of age sixty-five.

31 **Sec. 2.** RCW 41.32.875 and 2012 1st sp.s. c 7 s 2 are each amended
32 to read as follows:

33 (1) NORMAL RETIREMENT. Any member who is at least age sixty-five
34 and who has:

35 (a) Completed ten service credit years; or

36 (b) Completed five service credit years, including twelve service
37 credit months after attaining age forty-four; or

1 (c) Completed five service credit years by July 1, 1996, under plan
2 2 and who transferred to plan 3 under RCW 41.32.817;
3 shall be eligible to retire and to receive a retirement allowance
4 computed according to the provisions of RCW 41.32.840.

5 (2) EARLY RETIREMENT. Any member who has attained at least age
6 fifty-five and has completed at least ten years of service shall be
7 eligible to retire and to receive a retirement allowance computed
8 according to the provisions of RCW 41.32.840, except that a member
9 retiring pursuant to this subsection shall have the retirement
10 allowance actuarially reduced to reflect the difference in the number
11 of years between age at retirement and the attainment of age sixty-
12 five.

13 (3) ALTERNATE EARLY RETIREMENT.

14 (a) Any member who has completed at least thirty service credit
15 years and has attained age fifty-five shall be eligible to retire and
16 to receive a retirement allowance computed according to the provisions
17 of RCW 41.32.840, except that a member retiring pursuant to this
18 subsection shall have the retirement allowance reduced by three percent
19 per year to reflect the difference in the number of years between age
20 at retirement and the attainment of age sixty-five.

21 (b) On or after September 1, 2008, any member who has completed at
22 least thirty service credit years and has attained age fifty-five shall
23 be eligible to retire and to receive a retirement allowance computed
24 according to the provisions of RCW 41.32.840, except that a member
25 retiring pursuant to this subsection shall have the retirement
26 allowance reduced as follows:

Retirement	Percent
Age	Reduction
55	20%
56	17%
57	14%
58	11%
59	8%
60	5%
61	2%
62	0%

1 63 0%

2 64 0%

3 ~~((Any member who retires under the provisions of this subsection is~~
4 ~~ineligible for the postretirement employment provisions of RCW~~
5 ~~41.32.862(2) until the retired member has reached sixty five years of~~
6 ~~age. For purposes of this subsection, employment with an employer also~~
7 ~~includes any personal service contract, service by an employer as a~~
8 ~~temporary or project employee, or any other similar compensated~~
9 ~~relationship with any employer included under the provisions of RCW~~
10 ~~41.32.860(1).))~~

11 The subsidized reductions for alternate early retirement in this
12 subsection as set forth in section 4, chapter 491, Laws of 2007 were
13 intended by the legislature as replacement benefits for gain-sharing.
14 Until there is legal certainty with respect to the repeal of chapter
15 41.31A RCW, the right to retire under this subsection is
16 noncontractual, and the legislature reserves the right to amend or
17 repeal this subsection. Legal certainty includes, but is not limited
18 to, the expiration of any: Applicable limitations on actions; and
19 periods of time for seeking appellate review, up to and including
20 reconsideration by the Washington supreme court and the supreme court
21 of the United States. Until that time, eligible members may still
22 retire under this subsection, and upon receipt of the first installment
23 of a retirement allowance computed under this subsection, the resulting
24 benefit becomes contractual for the recipient. If the repeal of
25 chapter 41.31A RCW is held to be invalid in a final determination of a
26 court of law, and the court orders reinstatement of gain-sharing or
27 other alternate benefits as a remedy, then retirement benefits for any
28 member who has completed at least thirty service credit years and has
29 attained age fifty-five but has not yet received the first installment
30 of a retirement allowance under this subsection shall be computed using
31 the reductions in (a) of this subsection.

32 (c) Members who first become employed by an employer in an eligible
33 position on or after May 1, 2013, are not eligible for the alternate
34 early retirement provisions of (a) or (b) of this subsection. Any
35 member who first becomes employed by an employer in an eligible
36 position on or after May 1, 2013, and has completed at least thirty
37 service credit years and has attained age fifty-five shall be eligible

1 to retire and to receive a retirement allowance computed according to
2 the provisions of RCW 41.32.840, except that a member retiring pursuant
3 to this subsection shall have the retirement allowance reduced by five
4 percent per year to reflect the difference in the number of years
5 between age at retirement and the attainment of age sixty-five.

6 **Sec. 3.** RCW 41.35.420 and 2012 1st sp.s. c 7 s 3 are each amended
7 to read as follows:

8 (1) NORMAL RETIREMENT. Any member with at least five service
9 credit years who has attained at least age sixty-five shall be eligible
10 to retire and to receive a retirement allowance computed according to
11 the provisions of RCW 41.35.400.

12 (2) EARLY RETIREMENT. Any member who has completed at least twenty
13 service credit years and has attained age fifty-five shall be eligible
14 to retire and to receive a retirement allowance computed according to
15 the provisions of RCW 41.35.400, except that a member retiring pursuant
16 to this subsection shall have the retirement allowance actuarially
17 reduced to reflect the difference in the number of years between age at
18 retirement and the attainment of age sixty-five.

19 (3) ALTERNATE EARLY RETIREMENT.

20 (a) Any member who has completed at least thirty service credit
21 years and has attained age fifty-five shall be eligible to retire and
22 to receive a retirement allowance computed according to the provisions
23 of RCW 41.35.400, except that a member retiring pursuant to this
24 subsection shall have the retirement allowance reduced by three percent
25 per year to reflect the difference in the number of years between age
26 at retirement and the attainment of age sixty-five.

27 (b) On or after September 1, 2008, any member who has completed at
28 least thirty service credit years and has attained age fifty-five shall
29 be eligible to retire and to receive a retirement allowance computed
30 according to the provisions of RCW 41.35.400, except that a member
31 retiring pursuant to this subsection shall have the retirement
32 allowance reduced as follows:

33	Retirement	Percent
34	Age	Reduction
35	55	20%

1	56	17%
2	57	14%
3	58	11%
4	59	8%
5	60	5%
6	61	2%
7	62	0%
8	63	0%
9	64	0%

10 (~~Any member who retires under the provisions of this subsection is~~
11 ~~ineligible for the postretirement employment provisions of RCW~~
12 ~~41.35.060(2) until the retired member has reached sixty five years of~~
13 ~~age. For purposes of this subsection, employment with an employer also~~
14 ~~includes any personal service contract, service by an employer as a~~
15 ~~temporary or project employee, or any other similar compensated~~
16 ~~relationship with any employer included under the provisions of RCW~~
17 ~~41.35.230(1).))~~)

18 The subsidized reductions for alternate early retirement in this
19 subsection as set forth in section 6, chapter 491, Laws of 2007 were
20 intended by the legislature as replacement benefits for gain-sharing.
21 Until there is legal certainty with respect to the repeal of chapter
22 41.31A RCW, the right to retire under this subsection is
23 noncontractual, and the legislature reserves the right to amend or
24 repeal this subsection. Legal certainty includes, but is not limited
25 to, the expiration of any: Applicable limitations on actions; and
26 periods of time for seeking appellate review, up to and including
27 reconsideration by the Washington supreme court and the supreme court
28 of the United States. Until that time, eligible members may still
29 retire under this subsection, and upon receipt of the first installment
30 of a retirement allowance computed under this subsection, the resulting
31 benefit becomes contractual for the recipient. If the repeal of
32 chapter 41.31A RCW is held to be invalid in a final determination of a
33 court of law, and the court orders reinstatement of gain-sharing or
34 other alternate benefits as a remedy, then retirement benefits for any
35 member who has completed at least thirty service credit years and has
36 attained age fifty-five but has not yet received the first installment

1 of a retirement allowance under this subsection shall be computed using
2 the reductions in (a) of this subsection.

3 (c) Members who first become employed by an employer in an eligible
4 position on or after May 1, 2013, are not eligible for the alternate
5 early retirement provisions of (a) or (b) of this subsection. Any
6 member who first becomes employed by an employer in an eligible
7 position on or after May 1, 2013, and has completed at least thirty
8 service credit years and has attained age fifty-five shall be eligible
9 to retire and to receive a retirement allowance computed according to
10 the provisions of RCW 41.35.400, except that a member retiring pursuant
11 to this subsection shall have the retirement allowance reduced by five
12 percent per year to reflect the difference in the number of years
13 between age at retirement and the attainment of age sixty-five.

14 **Sec. 4.** RCW 41.35.680 and 2012 1st sp.s. c 7 s 4 are each amended
15 to read as follows:

16 (1) NORMAL RETIREMENT. Any member who is at least age sixty-five
17 and who has:

18 (a) Completed ten service credit years; or

19 (b) Completed five service credit years, including twelve service
20 credit months after attaining age forty-four; or

21 (c) Completed five service credit years by September 1, 2000, under
22 the public employees' retirement system plan 2 and who transferred to
23 plan 3 under RCW 41.35.510;

24 shall be eligible to retire and to receive a retirement allowance
25 computed according to the provisions of RCW 41.35.620.

26 (2) EARLY RETIREMENT. Any member who has attained at least age
27 fifty-five and has completed at least ten years of service shall be
28 eligible to retire and to receive a retirement allowance computed
29 according to the provisions of RCW 41.35.620, except that a member
30 retiring pursuant to this subsection shall have the retirement
31 allowance actuarially reduced to reflect the difference in the number
32 of years between age at retirement and the attainment of age sixty-
33 five.

34 (3) ALTERNATE EARLY RETIREMENT.

35 (a) Any member who has completed at least thirty service credit
36 years and has attained age fifty-five shall be eligible to retire and
37 to receive a retirement allowance computed according to the provisions

1 of RCW 41.35.620, except that a member retiring pursuant to this
2 subsection shall have the retirement allowance reduced by three percent
3 per year to reflect the difference in the number of years between age
4 at retirement and the attainment of age sixty-five.

5 (b) On or after September 1, 2008, any member who has completed at
6 least thirty service credit years and has attained age fifty-five shall
7 be eligible to retire and to receive a retirement allowance computed
8 according to the provisions of RCW 41.35.620, except that a member
9 retiring pursuant to this subsection shall have the retirement
10 allowance reduced as follows:

11	Retirement	Percent
12	Age	Reduction
13	55	20%
14	56	17%
15	57	14%
16	58	11%
17	59	8%
18	60	5%
19	61	2%
20	62	0%
21	63	0%
22	64	0%

23 ~~((Any member who retires under the provisions of this subsection is~~
24 ~~ineligible for the postretirement employment provisions of RCW~~
25 ~~41.35.060(2) until the retired member has reached sixty five years of~~
26 ~~age. For purposes of this subsection, employment with an employer also~~
27 ~~includes any personal service contract, service by an employer as a~~
28 ~~temporary or project employee, or any other similar compensated~~
29 ~~relationship with any employer included under the provisions of RCW~~
30 ~~41.35.230(1).))~~

31 The subsidized reductions for alternate early retirement in this
32 subsection as set forth in section 8, chapter 491, Laws of 2007 were
33 intended by the legislature as replacement benefits for gain-sharing.
34 Until there is legal certainty with respect to the repeal of chapter
35 41.31A RCW, the right to retire under this subsection is

1 noncontractual, and the legislature reserves the right to amend or
2 repeal this subsection. Legal certainty includes, but is not limited
3 to, the expiration of any: Applicable limitations on actions; and
4 periods of time for seeking appellate review, up to and including
5 reconsideration by the Washington supreme court and the supreme court
6 of the United States. Until that time, eligible members may still
7 retire under this subsection, and upon receipt of the first installment
8 of a retirement allowance computed under this subsection, the resulting
9 benefit becomes contractual for the recipient. If the repeal of
10 chapter 41.31A RCW is held to be invalid in a final determination of a
11 court of law, and the court orders reinstatement of gain-sharing or
12 other alternate benefits as a remedy, then retirement benefits for any
13 member who has completed at least thirty service credit years and has
14 attained age fifty-five but has not yet received the first installment
15 of a retirement allowance under this subsection shall be computed using
16 the reductions in (a) of this subsection.

17 (c) Members who first become employed by an employer in an eligible
18 position on or after May 1, 2013, are not eligible for the alternate
19 early retirement provisions of (a) or (b) of this subsection. Any
20 member who first becomes employed by an employer in an eligible
21 position on or after May 1, 2013, and has completed at least thirty
22 service credit years and has attained age fifty-five shall be eligible
23 to retire and to receive a retirement allowance computed according to
24 the provisions of RCW 41.35.620, except that a member retiring pursuant
25 to this subsection shall have the retirement allowance reduced by five
26 percent per year to reflect the difference in the number of years
27 between age at retirement and the attainment of age sixty-five.

28 **Sec. 5.** RCW 41.40.630 and 2012 1st sp.s. c 7 s 5 are each amended
29 to read as follows:

30 (1) NORMAL RETIREMENT. Any member with at least five service
31 credit years who has attained at least age sixty-five shall be eligible
32 to retire and to receive a retirement allowance computed according to
33 the provisions of RCW 41.40.620.

34 (2) EARLY RETIREMENT. Any member who has completed at least twenty
35 service credit years and has attained age fifty-five shall be eligible
36 to retire and to receive a retirement allowance computed according to
37 the provisions of RCW 41.40.620, except that a member retiring pursuant

1 to this subsection shall have the retirement allowance actuarially
2 reduced to reflect the difference in the number of years between age at
3 retirement and the attainment of age sixty-five.

4 (3) ALTERNATE EARLY RETIREMENT.

5 (a) Any member who has completed at least thirty service credit
6 years and has attained age fifty-five shall be eligible to retire and
7 to receive a retirement allowance computed according to the provisions
8 of RCW 41.40.620, except that a member retiring pursuant to this
9 subsection shall have the retirement allowance reduced by three percent
10 per year to reflect the difference in the number of years between age
11 at retirement and the attainment of age sixty-five.

12 (b) On or after July 1, 2008, any member who has completed at least
13 thirty service credit years and has attained age fifty-five shall be
14 eligible to retire and to receive a retirement allowance computed
15 according to the provisions of RCW 41.40.620, except that a member
16 retiring pursuant to this subsection shall have the retirement
17 allowance reduced as follows:

18	Retirement	Percent
19	Age	Reduction
20	55	20%
21	56	17%
22	57	14%
23	58	11%
24	59	8%
25	60	5%
26	61	2%
27	62	0%
28	63	0%
29	64	0%

30 ~~((Any member who retires under the provisions of this subsection is~~
31 ~~ineligible for the postretirement employment provisions of RCW~~
32 ~~41.40.037(2)(d) until the retired member has reached sixty five years~~
33 ~~of age. For purposes of this subsection, employment with an employer~~
34 ~~also includes any personal service contract, service by an employer as~~

1 ~~a temporary or project employee, or any other similar compensated~~
2 ~~relationship with any employer included under the provisions of RCW~~
3 ~~41.40.690(1).)~~

4 The subsidized reductions for alternate early retirement in this
5 subsection as set forth in section 9, chapter 491, Laws of 2007 were
6 intended by the legislature as replacement benefits for gain-sharing.
7 Until there is legal certainty with respect to the repeal of chapter
8 41.31A RCW, the right to retire under this subsection is
9 noncontractual, and the legislature reserves the right to amend or
10 repeal this subsection. Legal certainty includes, but is not limited
11 to, the expiration of any: Applicable limitations on actions; and
12 periods of time for seeking appellate review, up to and including
13 reconsideration by the Washington supreme court and the supreme court
14 of the United States. Until that time, eligible members may still
15 retire under this subsection, and upon receipt of the first installment
16 of a retirement allowance computed under this subsection, the resulting
17 benefit becomes contractual for the recipient. If the repeal of
18 chapter 41.31A RCW is held to be invalid in a final determination of a
19 court of law, and the court orders reinstatement of gain-sharing or
20 other alternate benefits as a remedy, then retirement benefits for any
21 member who has completed at least thirty service credit years and has
22 attained age fifty-five but has not yet received the first installment
23 of a retirement allowance under this subsection shall be computed using
24 the reductions in (a) of this subsection.

25 (c) Members who first become employed by an employer in an eligible
26 position on or after May 1, 2013, are not eligible for the alternate
27 early retirement provisions of (a) or (b) of this subsection. Any
28 member who first becomes employed by an employer in an eligible
29 position on or after May 1, 2013, and has completed at least thirty
30 service credit years and has attained age fifty-five shall be eligible
31 to retire and to receive a retirement allowance computed according to
32 the provisions of RCW 41.40.620, except that a member retiring pursuant
33 to this subsection shall have the retirement allowance reduced by five
34 percent per year to reflect the difference in the number of years
35 between age at retirement and the attainment of age sixty-five.

36 **Sec. 6.** RCW 41.40.820 and 2012 1st sp.s. c 7 s 6 are each amended
37 to read as follows:

1 (1) NORMAL RETIREMENT. Any member who is at least age sixty-five
2 and who has:

3 (a) Completed ten service credit years; or

4 (b) Completed five service credit years, including twelve service
5 credit months after attaining age forty-four; or

6 (c) Completed five service credit years by the transfer payment
7 date specified in RCW 41.40.795, under the public employees' retirement
8 system plan 2 and who transferred to plan 3 under RCW 41.40.795;
9 shall be eligible to retire and to receive a retirement allowance
10 computed according to the provisions of RCW 41.40.790.

11 (2) EARLY RETIREMENT. Any member who has attained at least age
12 fifty-five and has completed at least ten years of service shall be
13 eligible to retire and to receive a retirement allowance computed
14 according to the provisions of RCW 41.40.790, except that a member
15 retiring pursuant to this subsection shall have the retirement
16 allowance actuarially reduced to reflect the difference in the number
17 of years between age at retirement and the attainment of age sixty-
18 five.

19 (3) ALTERNATE EARLY RETIREMENT.

20 (a) Any member who has completed at least thirty service credit
21 years and has attained age fifty-five shall be eligible to retire and
22 to receive a retirement allowance computed according to the provisions
23 of RCW 41.40.790, except that a member retiring pursuant to this
24 subsection shall have the retirement allowance reduced by three percent
25 per year to reflect the difference in the number of years between age
26 at retirement and the attainment of age sixty-five.

27 (b) On or after July 1, 2008, any member who has completed at least
28 thirty service credit years and has attained age fifty-five shall be
29 eligible to retire and to receive a retirement allowance computed
30 according to the provisions of RCW 41.40.790, except that a member
31 retiring pursuant to this subsection shall have the retirement
32 allowance reduced as follows:

33	Retirement	Percent
34	Age	Reduction
35	55	20%
36	56	17%

1	57	14%
2	58	11%
3	59	8%
4	60	5%
5	61	2%
6	62	0%
7	63	0%
8	64	0%

9 ~~((Any member who retires under the provisions of this subsection is~~
10 ~~ineligible for the postretirement employment provisions of RCW~~
11 ~~41.40.037(2)(d) until the retired member has reached sixty five years~~
12 ~~of age. For purposes of this subsection, employment with an employer~~
13 ~~also includes any personal service contract, service by an employer as~~
14 ~~a temporary or project employee, or any other similar compensated~~
15 ~~relationship with any employer included under the provisions of RCW~~
16 ~~41.40.850(1).))~~

17 The subsidized reductions for alternate early retirement in this
18 subsection as set forth in section 10, chapter 491, Laws of 2007 were
19 intended by the legislature as replacement benefits for gain-sharing.
20 Until there is legal certainty with respect to the repeal of chapter
21 41.31A RCW, the right to retire under this subsection is
22 noncontractual, and the legislature reserves the right to amend or
23 repeal this subsection. Legal certainty includes, but is not limited
24 to, the expiration of any: Applicable limitations on actions; and
25 periods of time for seeking appellate review, up to and including
26 reconsideration by the Washington supreme court and the supreme court
27 of the United States. Until that time, eligible members may still
28 retire under this subsection, and upon receipt of the first installment
29 of a retirement allowance computed under this subsection, the resulting
30 benefit becomes contractual for the recipient. If the repeal of
31 chapter 41.31A RCW is held to be invalid in a final determination of a
32 court of law, and the court orders reinstatement of gain-sharing or
33 other alternate benefits as a remedy, then retirement benefits for any
34 member who has completed at least thirty service credit years and has
35 attained age fifty-five but has not yet received the first installment
36 of a retirement allowance under this subsection shall be computed using
37 the reductions in (a) of this subsection.

1 (c) Members who first become employed by an employer in an eligible
2 position on or after May 1, 2013, are not eligible for the alternate
3 early retirement provisions of (a) or (b) of this subsection. Any
4 member who first becomes employed by an employer in an eligible
5 position on or after May 1, 2013, and has completed at least thirty
6 service credit years and has attained age fifty-five shall be eligible
7 to retire and to receive a retirement allowance computed according to
8 the provisions of RCW 41.40.790, except that a member retiring pursuant
9 to this subsection shall have the retirement allowance reduced by five
10 percent per year to reflect the difference in the number of years
11 between age at retirement and the attainment of age sixty-five.

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