

---

SENATE BILL 5214

---

State of Washington

64th Legislature

2015 Regular Session

By Senator Roach

Read first time 01/15/15. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to permitting certain uniformed personnel, as  
2 defined in chapter 41.56 RCW, who are employed by counties and are  
3 members of the public employees' retirement system or the public  
4 safety employees' retirement system to negotiate to have their  
5 employers make the member retirement system contributions that are  
6 picked up pursuant to the federal tax code; and amending RCW  
7 41.04.450 and 41.45.067.

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

9 **Sec. 1.** RCW 41.04.450 and 2007 c 492 s 5 are each amended to  
10 read as follows:

11 (1) Employers of those members under chapters 41.26, 41.34,  
12 41.35, 41.37, and 41.40 RCW who are not specified in RCW 41.04.445  
13 may choose to implement the employer pick up of all member  
14 contributions without exception under RCW 41.26.080(1)(a), 41.26.450,  
15 41.40.330(1), 41.45.060, 41.45.061, and 41.45.067 and chapter 41.34  
16 RCW. If the employer does so choose, the employer and members shall  
17 be subject to the conditions and limitations of RCW 41.04.440,  
18 41.04.445 (3), (4), and (5) and 41.04.455.

19 (2) Counties may, subject to a collective bargaining agreement  
20 negotiated pursuant to chapter 41.56 RCW, agree to pay all or a  
21 portion of retirement plan contributions that it agrees to pick up

1 pursuant to subsection (1) of this section for uniformed personnel,  
2 as defined in RCW 41.56.030, who are members of the public employees'  
3 retirement system under chapter 41.40 RCW or the public safety  
4 employees' retirement system under chapter 41.37 RCW. Such a  
5 provision is a permissible subject of bargaining for counties under  
6 chapter 41.56 RCW only for member contributions for retirement plans  
7 established in chapters 41.37 RCW and 41.40 RCW.

8 (3) An employer exercising the option under this section may  
9 later choose to withdraw from and/or reestablish the employer pick up  
10 of member contributions only once in a calendar year following forty-  
11 five days prior notice to the director of the department of  
12 retirement systems.

13 **Sec. 2.** RCW 41.45.067 and 2001 2nd sp.s. c 11 s 14 are each  
14 amended to read as follows:

15 (1) Any increase in the contribution rate required as the result  
16 of a failure of the state or of an employer to make any contribution  
17 required by this section shall be borne in full by the state or by  
18 that employer not making the contribution.

19 (2) The director shall notify all employers of any pending  
20 adjustment in the required contribution rate and such pending  
21 adjustment in the required contribution rate and any increase shall  
22 be announced at least thirty days prior to the effective date of the  
23 change.

24 (3) Members' contributions required by RCW 41.45.060 and  
25 41.45.061 shall be deducted from the members' compensation each  
26 payroll period except for members of retirement plans under chapter  
27 41.37 or 41.40 RCW whose contributions are paid by the employer  
28 pursuant to RCW 41.04.450(2). The members' contribution and the  
29 employers' contribution shall be remitted directly to the department  
30 within fifteen days following the end of the calendar month during  
31 which the payroll period ends.

32 (4) The state's contribution required for the law enforcement  
33 officers' and firefighters' retirement system plan 2 shall be  
34 transferred to the appropriate fund from the total contributions  
35 transferred by the state treasurer under RCW 41.45.050.

--- END ---