
SENATE BILL 5473

State of Washington

64th Legislature

2015 Regular Session

By Senators Chase, Hasegawa, McAuliffe, Rolfes, Conway, and Kohl-Welles

Read first time 01/22/15. Referred to Committee on Ways & Means.

1 AN ACT Relating to providing retirement benefits at earlier ages
2 in the plans 2 and 3 of the public employees' retirement system, the
3 teachers' retirement system, and the school employees' retirement
4 system; amending RCW 41.32.765, 41.32.875, 41.35.420, 41.35.680,
5 41.40.630, and 41.40.820; providing an effective date; and declaring
6 an emergency.

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

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

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

14 (2) UNREDUCED RETIREMENT. Any member who is at least age fifty-
15 five and has completed at least five service credit years and for
16 whom the sum of the number of years of the member's age and the
17 number of years of the member's service credit equals eighty-five or
18 more shall be eligible to retire and receive a retirement allowance
19 computed according to the provisions of RCW 41.32.760.

20 (3) EARLY RETIREMENT. Any member who has completed at least
21 twenty service credit years of service who has attained at least age

1 fifty-five shall be eligible to retire and to receive a retirement
2 allowance computed according to the provisions of RCW 41.32.760,
3 except that a member retiring pursuant to this subsection shall have
4 the retirement allowance actuarially reduced to reflect the
5 difference in the number of years between age at retirement and the
6 attainment of age sixty-five.

7 ~~((3))~~ (4) ALTERNATE EARLY RETIREMENT.

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

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

21	Retirement	Percent
22	Age	Reduction
23	55	20%
24	56	17%
25	57	14%
26	58	11%
27	59	8%
28	60	5%
29	61	2%
30	62	0%
31	63	0%
32	64	0%

33 Any member who retires under the provisions of this subsection is
34 ineligible for the postretirement employment provisions of RCW
35 41.32.802(2) until the retired member has reached sixty-five years of
36 age. For purposes of this subsection, employment with an employer

1 also includes any personal service contract, service by an employer
2 as a temporary or project employee, or any other similar compensated
3 relationship with any employer included under the provisions of RCW
4 41.32.800(1).

5 The subsidized reductions for alternate early retirement in this
6 subsection as set forth in section 2, chapter 491, Laws of 2007 were
7 intended by the legislature as replacement benefits for gain-sharing.
8 Until there is legal certainty with respect to the repeal of chapter
9 41.31A RCW, the right to retire under this subsection is
10 noncontractual, and the legislature reserves the right to amend or
11 repeal this subsection. Legal certainty includes, but is not limited
12 to, the expiration of any: Applicable limitations on actions; and
13 periods of time for seeking appellate review, up to and including
14 reconsideration by the Washington supreme court and the supreme court
15 of the United States. Until that time, eligible members may still
16 retire under this subsection, and upon receipt of the first
17 installment of a retirement allowance computed under this subsection,
18 the resulting benefit becomes contractual for the recipient. If the
19 repeal of chapter 41.31A RCW is held to be invalid in a final
20 determination of a court of law, and the court orders reinstatement
21 of gain-sharing or other alternate benefits as a remedy, then
22 retirement benefits for any member who has completed at least thirty
23 service credit years and has attained age fifty-five but has not yet
24 received the first installment of a retirement allowance under this
25 subsection shall be computed using the reductions in (a) of this
26 subsection.

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

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

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

5 (a) Completed ten service credit years; or

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

8 (c) Completed five service credit years by July 1, 1996, under
9 plan 2 and who transferred to plan 3 under RCW 41.32.817;

10 shall be eligible to retire and to receive a retirement allowance
11 computed according to the provisions of RCW 41.32.840.

12 (2) UNREDUCED RETIREMENT. Any member who is at least age fifty-
13 five and has completed the number of service credit years required in
14 subsection (1) of this section and for whom the sum of the number of
15 years of the member's age and the number of years of the member's
16 service credit equals eighty-five or more shall be eligible to retire
17 and receive a retirement allowance computed according to the
18 provisions of RCW 41.32.840.

19 (3) EARLY RETIREMENT. Any member who has attained at least age
20 fifty-five and has completed at least ten years of service shall be
21 eligible to retire and to receive a retirement allowance computed
22 according to the provisions of RCW 41.32.840, except that a member
23 retiring pursuant to this subsection shall have the retirement
24 allowance actuarially reduced to reflect the difference in the number
25 of years between age at retirement and the attainment of age sixty-
26 five.

27 (~~(3)~~) (4) ALTERNATE EARLY RETIREMENT.

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

35 (b) On or after September 1, 2008, any member who has completed
36 at least thirty service credit years and has attained age fifty-five
37 shall be eligible to retire and to receive a retirement allowance
38 computed according to the provisions of RCW 41.32.840, except that a

1 member retiring pursuant to this subsection shall have the retirement
2 allowance reduced as follows:

3	Retirement	Percent
4	Age	Reduction
5	55	20%
6	56	17%
7	57	14%
8	58	11%
9	59	8%
10	60	5%
11	61	2%
12	62	0%
13	63	0%
14	64	0%

15 Any member who retires under the provisions of this subsection is
16 ineligible for the postretirement employment provisions of RCW
17 41.32.862(2) until the retired member has reached sixty-five years of
18 age. For purposes of this subsection, employment with an employer
19 also includes any personal service contract, service by an employer
20 as a temporary or project employee, or any other similar compensated
21 relationship with any employer included under the provisions of RCW
22 41.32.860(1).

23 The subsidized reductions for alternate early retirement in this
24 subsection as set forth in section 4, chapter 491, Laws of 2007 were
25 intended by the legislature as replacement benefits for gain-sharing.
26 Until there is legal certainty with respect to the repeal of chapter
27 41.31A RCW, the right to retire under this subsection is
28 noncontractual, and the legislature reserves the right to amend or
29 repeal this subsection. Legal certainty includes, but is not limited
30 to, the expiration of any: Applicable limitations on actions; and
31 periods of time for seeking appellate review, up to and including
32 reconsideration by the Washington supreme court and the supreme court
33 of the United States. Until that time, eligible members may still
34 retire under this subsection, and upon receipt of the first
35 installment of a retirement allowance computed under this subsection,
36 the resulting benefit becomes contractual for the recipient. If the

1 repeal of chapter 41.31A RCW is held to be invalid in a final
2 determination of a court of law, and the court orders reinstatement
3 of gain-sharing or other alternate benefits as a remedy, then
4 retirement benefits for any member who has completed at least thirty
5 service credit years and has attained age fifty-five but has not yet
6 received the first installment of a retirement allowance under this
7 subsection shall be computed using the reductions in (a) of this
8 subsection.

9 (c) Members who first become employed by an employer in an
10 eligible position on or after May 1, 2013, are not eligible for the
11 alternate early retirement provisions of (a) or (b) of this
12 subsection. Any member who first becomes employed by an employer in
13 an eligible position on or after May 1, 2013, and has completed at
14 least thirty service credit years and has attained age fifty-five
15 shall be eligible to retire and to receive a retirement allowance
16 computed according to the provisions of RCW 41.32.840, except that a
17 member retiring pursuant to this subsection shall have the retirement
18 allowance reduced by five percent per year to reflect the difference
19 in the number of years between age at retirement and the attainment
20 of age sixty-five.

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

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

27 (2) UNREDUCED RETIREMENT. Any member who is at least age fifty-
28 five and has completed at least five service credit years and for
29 whom the sum of the number of years of the member's age and the
30 number of years of the member's service credit equals eighty-five or
31 more shall be eligible to retire and receive a retirement allowance
32 computed according to the provisions of RCW 41.35.400.

33 (3) EARLY RETIREMENT. Any member who has completed at least
34 twenty service credit years and has attained age fifty-five shall be
35 eligible to retire and to receive a retirement allowance computed
36 according to the provisions of RCW 41.35.400, except that a member
37 retiring pursuant to this subsection shall have the retirement
38 allowance actuarially reduced to reflect the difference in the number

1 of years between age at retirement and the attainment of age sixty-
2 five.

3 ((~~3~~)) (4) ALTERNATE EARLY RETIREMENT.

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

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

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

29 Any member who retires under the provisions of this subsection is
30 ineligible for the postretirement employment provisions of RCW
31 41.35.060(2) until the retired member has reached sixty-five years of
32 age. For purposes of this subsection, employment with an employer
33 also includes any personal service contract, service by an employer
34 as a temporary or project employee, or any other similar compensated
35 relationship with any employer included under the provisions of RCW
36 41.35.230(1).

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

23 (c) Members who first become employed by an employer in an
24 eligible position on or after May 1, 2013, are not eligible for the
25 alternate early retirement provisions of (a) or (b) of this
26 subsection. Any member who first becomes employed by an employer in
27 an eligible position on or after May 1, 2013, and has completed at
28 least thirty service credit years and has attained age fifty-five
29 shall be eligible to retire and to receive a retirement allowance
30 computed according to the provisions of RCW 41.35.400, except that a
31 member retiring pursuant to this subsection shall have the retirement
32 allowance reduced by five percent per year to reflect the difference
33 in the number of years between age at retirement and the attainment
34 of age sixty-five.

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

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

39 (a) Completed ten service credit years; or

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

3 (c) Completed five service credit years by September 1, 2000,
4 under the public employees' retirement system plan 2 and who
5 transferred to plan 3 under RCW 41.35.510;
6 shall be eligible to retire and to receive a retirement allowance
7 computed according to the provisions of RCW 41.35.620.

8 (2) UNREDUCED RETIREMENT. Any member who is at least age fifty-
9 five and has completed the number of service credit years required in
10 subsection (1) of this section and for whom the sum of the number of
11 years of the member's age and the number of years of the member's
12 service credit equals eighty-five or more shall be eligible to retire
13 and receive a retirement allowance computed according to the
14 provisions of RCW 41.35.620.

15 (3) EARLY RETIREMENT. Any member who has attained at least age
16 fifty-five and has completed at least ten years of service shall be
17 eligible to retire and to receive a retirement allowance computed
18 according to the provisions of RCW 41.35.620, except that a member
19 retiring pursuant to this subsection shall have the retirement
20 allowance actuarially reduced to reflect the difference in the number
21 of years between age at retirement and the attainment of age sixty-
22 five.

23 (~~(3)~~) (4) ALTERNATE EARLY RETIREMENT.

24 (a) Any member who has completed at least thirty service credit
25 years and has attained age fifty-five shall be eligible to retire and
26 to receive a retirement allowance computed according to the
27 provisions of RCW 41.35.620, except that a member retiring pursuant
28 to this subsection shall have the retirement allowance reduced by
29 three percent per year to reflect the difference in the number of
30 years between age at retirement and the attainment of age sixty-five.

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

Retirement Age	Percent Reduction
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
14 also includes any personal service contract, service by an employer
15 as a 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 8, 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
30 installment of a retirement allowance computed under this subsection,
31 the resulting benefit becomes contractual for the recipient. If the
32 repeal of chapter 41.31A RCW is held to be invalid in a final
33 determination of a court of law, and the court orders reinstatement
34 of gain-sharing or other alternate benefits as a remedy, then
35 retirement benefits for any member who has completed at least thirty
36 service credit years and has attained age fifty-five but has not yet
37 received the first installment of a retirement allowance under this

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

3 (c) Members who first become employed by an employer in an
4 eligible position on or after May 1, 2013, are not eligible for the
5 alternate early retirement provisions of (a) or (b) of this
6 subsection. Any member who first becomes employed by an employer in
7 an eligible position on or after May 1, 2013, and has completed at
8 least thirty service credit years and has attained age fifty-five
9 shall be eligible to retire and to receive a retirement allowance
10 computed according to the provisions of RCW 41.35.620, except that a
11 member retiring pursuant to this subsection shall have the retirement
12 allowance reduced by five percent per year to reflect the difference
13 in the number of years between age at retirement and the attainment
14 of age sixty-five.

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

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

21 (2) UNREDUCED RETIREMENT. Any member who is at least age fifty-
22 five and has completed at least five service credit years and for
23 whom the sum of the number of years of the member's age and the
24 number of years of the member's service credit equals eighty-five or
25 more shall be eligible to retire and receive a retirement allowance
26 computed according to the provisions of RCW 41.40.620.

27 (3) EARLY RETIREMENT. Any member who has completed at least
28 twenty 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 41.40.620, except that a member
31 retiring pursuant to this subsection shall have the retirement
32 allowance actuarially reduced to reflect the difference in the number
33 of years between age at retirement and the attainment of age sixty-
34 five.

35 (~~(3)~~) (4) ALTERNATE EARLY RETIREMENT.

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

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

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

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

22 Any member who retires under the provisions of this subsection is
23 ineligible for the postretirement employment provisions of RCW
24 41.40.037(2)(d) until the retired member has reached sixty-five years
25 of age. For purposes of this subsection, employment with an employer
26 also includes any personal service contract, service by an employer
27 as a temporary or project employee, or any other similar compensated
28 relationship with any employer included under the provisions of RCW
29 41.40.690(1).

30 The subsidized reductions for alternate early retirement in this
31 subsection as set forth in section 9, chapter 491, Laws of 2007 were
32 intended by the legislature as replacement benefits for gain-sharing.
33 Until there is legal certainty with respect to the repeal of chapter
34 41.31A RCW, the right to retire under this subsection is
35 noncontractual, and the legislature reserves the right to amend or
36 repeal this subsection. Legal certainty includes, but is not limited

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

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

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

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

32 (a) Completed ten service credit years; or

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

35 (c) Completed five service credit years by the transfer payment
36 date specified in RCW 41.40.795, under the public employees'
37 retirement system plan 2 and who transferred to plan 3 under RCW
38 41.40.795;

1 shall be eligible to retire and to receive a retirement allowance
2 computed according to the provisions of RCW 41.40.790.

3 (2) UNREDUCED RETIREMENT. Any member who is at least age fifty-
4 five and has completed the number of service credit years required in
5 subsection (1) of this section and for whom the sum of the number of
6 years of the member's age and the number of years of the member's
7 service credit equals eighty-five or more shall be eligible to retire
8 and receive a retirement allowance computed according to the
9 provisions of RCW 41.40.790.

10 (3) EARLY RETIREMENT. Any member who has attained at least age
11 fifty-five and has completed at least ten years of service shall be
12 eligible to retire and to receive a retirement allowance computed
13 according to the provisions of RCW 41.40.790, except that a member
14 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)) (4) ALTERNATE EARLY RETIREMENT.

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

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

Retirement	Percent
Age	Reduction
55	20%
56	17%
57	14%
58	11%
59	8%

1	60	5%
2	61	2%
3	62	0%
4	63	0%
5	64	0%

6 Any member who retires under the provisions of this subsection is
7 ineligible for the postretirement employment provisions of RCW
8 41.40.037(2)(d) until the retired member has reached sixty-five years
9 of age. For purposes of this subsection, employment with an employer
10 also includes any personal service contract, service by an employer
11 as a temporary or project employee, or any other similar compensated
12 relationship with any employer included under the provisions of RCW
13 41.40.850(1).

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

36 (c) Members who first become employed by an employer in an
37 eligible position on or after May 1, 2013, are not eligible for the
38 alternate early retirement provisions of (a) or (b) of this

1 subsection. Any member who first becomes employed by an employer in
2 an eligible position on or after May 1, 2013, and has completed at
3 least thirty service credit years and has attained age fifty-five
4 shall be eligible to retire and to receive a retirement allowance
5 computed according to the provisions of RCW 41.40.790, except that a
6 member retiring pursuant to this subsection shall have the retirement
7 allowance reduced by five percent per year to reflect the difference
8 in the number of years between age at retirement and the attainment
9 of age sixty-five.

10 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of
12 the state government and its existing public institutions, and takes
13 effect July 1, 2015.

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