CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1336**

Chapter 163, Laws of 2018

65th Legislature

2018 Regular Session

DISABILITY COMPENSATION--SOCIAL SECURITY OFFSET

EFFECTIVE DATE: June 7, 2018

|  |  |
| --- | --- |
| Passed by the House February 7, 2018Yeas 65 Nays 33FRANK CHOPP**Speaker of the House of Representatives**Passed by the Senate March 2, 2018Yeas 48 Nays 0KAREN KEISER**President of the Senate** | CERTIFICATEI, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1336** as passed by House of Representatives and the Senate on the dates hereon set forth.BERNARD DEANChief Clerk |
| Approved March 22, 2018 10:42 AM | March 26, 2018 |
| JAY INSLEE**Governor of the State of Washington** | **Secretary of State** **State of Washington** |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 1336**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Passed Legislature - 2018 Regular Session

**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Kirby, Sells, and Appleton

AN ACT Relating to the social security offset to disability compensation; amending RCW 51.32.225; and creating a new section.

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

**Sec.**  RCW 51.32.225 and 2006 c 163 s 1 are each amended to read as follows:

(1) For persons receiving compensation for temporary or permanent total disability under this title, the compensation shall be reduced by the department to allow an offset for social security retirement benefits payable under the federal social security, old age survivors, and disability insurance act, 42 U.S.C. This reduction shall not apply to any worker who is receiving permanent total disability benefits prior to July 1, 1986. This reduction does not apply to workers who had applied to receive social security retirement benefits prior to the date of their injury or to workers who were receiving social security benefits prior to their injury.

(2) Reductions for social security retirement benefits under this section shall comply with the procedures in RCW 51.32.220 (1) through (6) and with any other procedures established by the department to administer this section. For any worker whose entitlement to social security retirement benefits is immediately preceded by an entitlement to social security disability benefits, the offset shall be based on the formulas provided under 42 U.S.C. Sec. 424a. For all other workers entitled to social security retirement benefits, the offset shall be based on procedures established and determined by the department to most closely follow the intent of RCW 51.32.220.

(3) Any reduction in compensation made under chapter 58, Laws of 1986, shall be made before the reduction established in this section.

NEW SECTION. **Sec.**  This act applies to claims with dates of injury on or after the effective date of this section.

**--- END ---**

Passed by the House February 7, 2018.

Passed by the Senate March 2, 2018.

Approved by the Governor March 22, 2018.

Filed in Office of Secretary of State March 26, 2018.