
SENATE BILL 5335

State of Washington

66th Legislature

2019 Regular Session

By Senators Bailey, Hobbs, Schoesler, Conway, and Hunt; by request of LEOFF Plan 2 Retirement Board and Select Committee on Pension Policy

Read first time 01/17/19. Referred to Committee on Ways & Means.

1 AN ACT Relating to paying state retirement benefits until the end
2 of the month in which the retiree or beneficiary dies; adding a new
3 section to chapter 41.50 RCW; creating a new section; and providing
4 an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that when a retiree
7 or beneficiary of state retirement benefits dies, the department of
8 retirement systems only pays benefits up to the precise date of that
9 individual's death. If the retiree or beneficiary has already
10 received payment for that month by the time the death occurs, the
11 department of retirement systems requires repayment of any benefits
12 received after the death. For example, if death occurs on the twenty-
13 fifth day of a thirty-day month, the beneficiary's estate may be
14 required to refund five days' worth of benefits.

15 The legislature intends to change that practice by paying
16 benefits until the end of the month in which the death occurs.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.50
18 RCW to read as follows:

19 (1) When a retiree or beneficiary under chapter 2.10, 2.12,
20 41.26, 41.32, 41.35, 41.37, 41.40, or 43.43 RCW dies, the department

1 must continue paying benefits until the end of the month in which
2 death occurred. Survivor benefits, when applicable, will begin on the
3 first day of the following month.

4 (2) This section applies to any and all benefit payments issued
5 by the department including optional annuities.

6 (3) The department must continue to require the beneficiary,
7 survivor, or estate of the deceased to refund any benefit payments
8 made following the month of death.

9 (4) This section applies prospectively only and not
10 retroactively. No beneficiary, survivor, or estate that has been
11 subject to repayment of benefits before January 1, 2020, has a right
12 to receive a refund of those repayments.

13 NEW SECTION. **Sec. 3.** This act takes effect January 1, 2020.

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