
HOUSE BILL 1499

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Riley, Forner, Roland, Orr, Prentice, Hochstatter, Jones, Chandler, Ludwig, Heavey, Scott, Paris, Winsley and Anderson.

Read first time January 31, 1991. Referred to Committee on Appropriations.

1 AN ACT Relating to death benefits for law enforcement officers and
2 fire fighters; and amending RCW 41.26.510.

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

4 **Sec. 1.** RCW 41.26.510 and 1990 c 249 s 14 are each amended to read
5 as follows:

6 (1) If a member or a vested member who has not completed at least
7 ten years of service dies, the amount of the accumulated contributions
8 standing to such member's credit in the retirement system at the time
9 of such member's death shall be paid to such person or persons having
10 an insurable interest in such member's life as the member shall have
11 nominated by written designation duly executed and filed with the
12 department. If there be no such designated person or persons still
13 living at the time of the member's death, such member's accumulated
14 contributions standing to such member's credit in the retirement system

1 shall be paid to the member's surviving spouse as if in fact such
2 spouse had been nominated by written designation, or if there be no
3 such surviving spouse, then to such member's legal representatives.

4 (2) If a member who is eligible for retirement or a member who has
5 completed at least ten years of service dies, the surviving spouse or
6 eligible child or children shall elect to receive either:

7 (a) A retirement allowance computed as provided for in RCW
8 41.26.430(1) actuarially adjusted to reflect a joint and one hundred
9 percent survivor option under RCW 41.26.460 and if the member was not
10 eligible for normal retirement at the date of death a further reduction
11 as described in RCW 41.26.430(2); if a surviving spouse who is
12 receiving a retirement allowance dies leaving a child or children of
13 the member under the age of majority, then such child or children shall
14 continue to receive an allowance in an amount equal to that which was
15 being received by the surviving spouse, share and share alike, until
16 such child or children reach the age of majority; if there is no
17 surviving spouse eligible to receive an allowance at the time of the
18 member's death, such member's child or children under the age of
19 majority shall receive an allowance share and share alike calculated as
20 herein provided making the assumption that the ages of the spouse and
21 member were equal at the time of the member's death; or

22 (b) The member's accumulated contributions.

23 (3) If a member dies in the line of duty, the surviving spouse or
24 eligible child or children may elect to receive the higher rate of
25 either:

26 (a) Two percent of the member's final average salary for each year
27 of service, under RCW 41.26.420; or

28 (b) Fifty percent of the final average salary, plus five percent
29 for each dependent child, for a maximum benefit of sixty percent of the
30 final average salary.