

SENATE BILL 5257

State of Washington

52nd Legislature

1991 Regular Session

By Senator Conner.

Read first time January 25, 1991. Referred to Committee on Ways & Means.

1 AN ACT Relating to retirement credit for military service; and
2 amending RCW 41.40.170.

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

4 **Sec. 1.** RCW 41.40.170 and 1981 c 294 s 12 are each amended to read
5 as follows:

6 (1) A member who has served or shall serve on active federal
7 service in the military or naval forces of the United States and who
8 left or shall leave an employer to enter such service shall be deemed
9 to be on military leave of absence if he has resumed or shall resume
10 employment as an employee within one year from termination thereof.

11 (2) If he has applied or shall apply for reinstatement of
12 employment, within one year from termination of the military service,
13 and is refused employment for reasons beyond his control, he shall,
14 upon resumption of service within ten years have such service credited
15 to him.

1 (3) (~~In any event, after completing twenty five years of~~
2 ~~creditable service, any member may have his service in the armed forces~~
3 ~~credited to him as a member whether or not he left the employ of an~~
4 ~~employer to enter such armed service: PROVIDED, That in no instance,~~
5 ~~described in subsections (1), (2), and (3) of this section, shall~~
6 ~~military service in excess of five years be credited: AND PROVIDED~~
7 ~~FURTHER, That in each instance the member must restore all withdrawn~~
8 ~~accumulated contributions, which restoration must be completed within~~
9 ~~five years of membership service following his first resumption of~~
10 ~~employment or complete twenty five years of creditable service: AND~~
11 ~~PROVIDED FURTHER, That)) After the effective date of this act, for~~
12 ~~every five years of service credit earned by a member, whether or not~~
13 ~~the member left the employ of an employer to enter the armed forces,~~
14 ~~the member shall receive one year's additional service credit in the~~
15 ~~retirement system for each year of honorable military service to the~~
16 ~~United States. The person may only receive a maximum of five years~~
17 ~~additional service credits under this section. However, this section~~
18 ~~((will)) shall not apply to any individual((~~τ~~)) not a veteran within~~
19 ~~the meaning of RCW 41.04.005(~~(, as now or hereafter amended: AND~~~~
20 ~~PROVIDED FURTHER, That)). In no instance((~~τ~~)) described in~~
21 ~~((subsections (1), (2), and (3) of)) this section((~~τ~~)) shall military~~
22 ~~service be credited to any member who is receiving full military~~
23 ~~retirement benefits pursuant to Title 10 United States Code.~~