
SENATE BILL 6131

State of Washington 60th Legislature 2007 Regular Session

By Senators Regala and Rasmussen

Read first time 02/27/2007. Referred to Committee on Ways & Means.

1 AN ACT Relating to service credit under the teachers' retirement
2 system plan 1 for military service; and amending RCW 41.32.260.

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

4 **Sec. 1.** RCW 41.32.260 and 2005 c 64 s 6 are each amended to read
5 as follows:

6 Any member whose public school service is interrupted by active
7 service to the United States as a member of its uniformed services, or
8 to the state of Washington, as a member of the legislature, may upon
9 becoming reemployed in the public schools, receive credit for that
10 service upon presenting satisfactory proof, and contributing to the
11 member reserve, either in a lump sum or installments, amounts
12 determined by the director. Except that no military service credit in
13 excess of five years shall be established or reestablished after July
14 1, 1961, unless the service was actually rendered during time of war.
15 This section shall be administered in a manner consistent with the
16 requirements of the federal uniformed services employment and
17 reemployment rights act.

18 (1) The surviving spouse or eligible child or children of a member
19 who left the employ of an employer to enter the uniformed services of

1 the United States and died while serving in the uniformed services may,
2 on behalf of the deceased member, apply for retirement system service
3 credit under this subsection up to the date of the member's death in
4 the uniformed services. The department shall establish the deceased
5 member's service credit if the surviving spouse or eligible child or
6 children:

7 (a) Provides to the director proof of the member's death while
8 serving in the uniformed services;

9 (b) Provides to the director proof of the member's honorable
10 service in the uniformed services prior to the date of death; and

11 (c) Pays the employee contributions required under chapter 41.45
12 RCW within five years of the date of death or prior to the distribution
13 of any benefit, whichever comes first.

14 (2) A member who leaves the employ of an employer to enter the
15 uniformed services of the United States and becomes totally
16 incapacitated for continued employment by an employer while serving in
17 the uniformed services is entitled to retirement system service credit
18 under this subsection up to the date of discharge from the uniformed
19 services if:

20 (a) The member obtains a determination from the director that he or
21 she is totally incapacitated for continued employment due to conditions
22 or events that occurred while serving in the uniformed services;

23 (b) The member provides to the director proof of honorable
24 discharge from the uniformed services; and

25 (c) The member pays the employee contributions required under
26 chapter 41.45 RCW within five years of the director's determination of
27 total disability or prior to the distribution of any benefit, whichever
28 comes first.

29 (3)(a) After completing twenty-five years of creditable service,
30 any member may have service in the armed forces that was performed
31 prior to membership in the retirement system credited to him or her as
32 a member. However, the total number of years of military service
33 credit from all sources, as authorized by any statute, may not exceed
34 five years. The member shall pay one-half of the actuarially
35 equivalent value of the increase in the member's benefit resulting from
36 the request for crediting of military service under this subsection, as
37 determined by the director. This payment must be made prior to
38 retirement.

1 (b) This section does not apply to any individual, not a veteran
2 within the meaning of RCW 41.04.005.

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