

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5175**

60th Legislature  
2007 Regular Session

Passed by the Senate March 13, 2007  
YEAS 43 NAYS 0

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**President of the Senate**

Passed by the House April 5, 2007  
YEAS 97 NAYS 0

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5175** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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SENATE BILL 5175

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Passed Legislature - 2007 Regular Session

State of Washington                      60th Legislature                      2007 Regular Session

By Senators Pridemore, Schoesler, Fraser, Fairley, McAuliffe, Shin, Jacobsen, Prentice, Franklin and Rasmussen; by request of Select Committee on Pension Policy

Read first time 01/12/2007. Referred to Committee on Ways & Means.

1            AN ACT Relating to public employees' retirement system, plan 1 and  
2 teachers' retirement system, plan 1 age and retirement requirements for  
3 receipt of the annual increase amount; amending RCW 41.40.197 and  
4 41.32.489; providing an effective date; and declaring an emergency.

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

6            **Sec. 1.** RCW 41.40.197 and 2005 c 327 s 8 are each amended to read  
7 as follows:

8            (1) Beginning July 1, 1995, and annually thereafter, the retirement  
9 allowance of a person meeting the requirements of this section shall be  
10 increased by the annual increase amount.

11            (2) The following persons shall be eligible for the benefit  
12 provided in subsection (1) of this section:

13            (a) A beneficiary who has received a retirement allowance for at  
14 least one year by July 1st in the calendar year in which the annual  
15 increase is given and has attained at least age sixty-six by (~~July~~  
16 ~~1st~~) December 31st in the calendar year in which the annual increase  
17 is given; or

18            (b) A beneficiary whose retirement allowance is lower than the  
19 minimum benefit provided under RCW 41.40.1984.

1 (3) If otherwise eligible, those receiving an annual adjustment  
2 under RCW 41.40.188(1)(c) shall be eligible for the annual increase  
3 adjustment in addition to the benefit that would have been received  
4 absent this section.

5 (4) Those receiving a benefit under RCW 41.40.220(1), or a survivor  
6 of a disabled member under RCW 41.44.170(5) shall be eligible for the  
7 benefit provided by this section.

8 (5) The legislature reserves the right to amend or repeal this  
9 section in the future and no member or beneficiary has a contractual  
10 right to receive this postretirement adjustment not granted prior to  
11 that time.

12 **Sec. 2.** RCW 41.32.489 and 1995 c 345 s 2 are each amended to read  
13 as follows:

14 (1) Beginning July 1, 1995, and annually thereafter, the retirement  
15 allowance of a person meeting the requirements of this section shall be  
16 increased by the annual increase amount.

17 (2) The following persons shall be eligible for the benefit  
18 provided in subsection (1) of this section:

19 (a) A beneficiary who has received a retirement allowance for at  
20 least one year by July 1st in the calendar year in which the annual  
21 increase is given and has attained at least age sixty-six by (~~July~~  
22 ~~1st~~) December 31st in the calendar year in which the annual increase  
23 is given; or

24 (b) A beneficiary whose retirement allowance is lower than the  
25 minimum benefit provided under RCW 41.32.4851.

26 (3) The following persons shall also be eligible for the benefit  
27 provided in subsection (1) of this section:

28 (a) A beneficiary receiving the minimum benefit on June 30, 1995,  
29 under RCW 41.32.485; or

30 (b) A recipient of a survivor benefit on June 30, 1995, which has  
31 been increased by RCW 41.32.575.

32 (4) If otherwise eligible, those receiving an annual adjustment  
33 under RCW 41.32.530(1)(d) shall be eligible for the annual increase  
34 adjustment in addition to the benefit that would have been received  
35 absent this section.

36 (5) Those receiving a temporary disability benefit under RCW

1 41.32.540 shall not be eligible for the benefit provided by this  
2 section.

3 (6) The legislature reserves the right to amend or repeal this  
4 section in the future and no member or beneficiary has a contractual  
5 right to receive this postretirement adjustment not granted prior to  
6 that time.

7 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
8 preservation of the public peace, health, or safety, or support of the  
9 state government and its existing public institutions, and takes effect  
10 July 1, 2007.

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