H-4126.1

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**SECOND SUBSTITUTE HOUSE BILL 2004**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** House Community Development, Housing & Tribal Affairs (originally sponsored by Representative Klippert)

AN ACT Relating to the retirement age for state guard members; and amending RCW 38.16.015.

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

**Sec.**  RCW 38.16.015 and 2012 c 12 s 1 are each amended to read as follows:

(1) The period of enlistment in the Washington state guard shall be set by regulation by the adjutant general. ((~~However, no original enlistment may be consummated unless the term thereof can be completed before the applicant attains the age of sixty-four.~~))

(2) Notwithstanding subsection (1) of this section and RCW 38.12.180(2), the adjutant general may extend the service age upon request by an active member of the Washington state guard if the adjutant general determines the member's extension would be in the best interest of the Washington state guard. Extensions under this subsection have a one-year duration and may be renewed ((~~until the member attains the age of sixty-eight~~)) beyond age sixty-four, subject to the discretion of the adjutant general, if:

(a) The member is physically and mentally capable to complete all assigned mission tasks;

(b) The Washington state guard officer review board recommends the extension; and

(c) If the member is over the age of sixty-eight, the member is willing to sign a statement releasing the Washington state guard and the military department of liability for physical or mental injuries resulting from or related to the member's age.

**--- END ---**