

CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE SENATE BILL 5322**

54th Legislature  
1996 Regular Session

Passed by the Senate March 5, 1996  
YEAS 38 NAYS 6

---

**President of the Senate**

Passed by the House March 1, 1996  
YEAS 95 NAYS 1

---

**Speaker of the  
House of Representatives**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE SENATE BILL 5322** as passed by the Senate and the House of Representatives on the dates hereon set forth.

---

**Secretary**

FILED

**Secretary of State  
State of Washington**

---

ENGROSSED SECOND SUBSTITUTE SENATE BILL 5322

---

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Gaspard, Roach, McDonald, Rinehart, Heavey, Johnson, Franklin, Loveland, West and Winsley)

Read first time 01/15/96.

1 AN ACT Relating to a death benefit award for certain law  
2 enforcement officers, fire fighters, and commissioned employees of the  
3 Washington state patrol who die in the line of duty; adding a new  
4 section to chapter 41.26 RCW; adding a new section to chapter 43.43  
5 RCW; creating a new section; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.26 RCW  
8 under the subchapter heading "provisions applicable to plan I and plan  
9 II" to read as follows:

10 (1) A one hundred fifty thousand dollar death benefit shall be paid  
11 to the member's estate, or such person or persons, trust or  
12 organization as the member shall have nominated by written designation  
13 duly executed and filed with the department. If there be no such  
14 designated person or persons still living at the time of the member's  
15 death, such member's death benefit shall be paid to the member's  
16 surviving spouse as if in fact such spouse had been nominated by  
17 written designation, or if there be no such surviving spouse, then to  
18 such member's legal representatives.

1 (2) The benefit under this section shall be paid only where death  
2 occurs as a result of injuries sustained in the course of employment.  
3 The determination of eligibility for the benefit shall be made  
4 consistent with Title 51 RCW by the department of labor and industries.  
5 The department of labor and industries shall notify the department of  
6 retirement systems by order under RCW 51.52.050.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.43 RCW  
8 to read as follows:

9 (1) A one hundred fifty thousand dollar death benefit shall be paid  
10 to the member's estate, or such person or persons, trust or  
11 organization as the member shall have nominated by written designation  
12 duly executed and filed with the department. If there be no such  
13 designated person or persons still living at the time of the member's  
14 death, such member's death benefit shall be paid to the member's  
15 surviving spouse as if in fact such spouse had been nominated by  
16 written designation, or if there be no such surviving spouse, then to  
17 such member's legal representatives.

18 (2) The benefit under this section shall be paid only where death  
19 occurs as a result of injuries sustained in the course of employment.  
20 The determination of eligibility for the benefit shall be made  
21 consistent with Title 51 RCW by the department of labor and industries.  
22 The department of labor and industries shall notify the department of  
23 retirement systems by order under RCW 51.52.050.

24 NEW SECTION. **Sec. 3.** The Joint Committee on Pension Policy will  
25 conduct a study on providing a similar death benefit for volunteer fire  
26 fighters and reserve law enforcement officers and report back to the  
27 appropriate legislative committees by December 1, 1996.

28 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
29 preservation of the public peace, health, or safety, or support of the  
30 state government and its existing public institutions, and shall take  
31 effect immediately.

--- END ---