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SENATE BILL 5219

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State of Washington

55th Legislature

1997 Regular Session

By Senators Winsley, Long, Fraser, Bauer and Franklin; by request of Joint Committee on Pension Policy

Read first time 01/20/97. Referred to Committee on Ways & Means.

1 AN ACT Relating to transferring prior service in the law  
2 enforcement officers' and fire fighters' pension system plan I; and  
3 adding a new section to chapter 41.26 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.26 RCW  
6 under the subchapter heading "plan I" to read as follows:

7 Any member of the teachers' retirement system plans I, II, or III,  
8 the public employees' retirement system plans I or II, or the  
9 Washington state patrol retirement system who has previously  
10 established service credit in the law enforcement officers' and fire  
11 fighters' retirement system plan I may make an irrevocable election to  
12 have such service transferred to their current retirement system and  
13 plan subject to the following conditions:

14 (1) If the individual is employed by an employer in an eligible  
15 position, as of July 1, 1997, the election to transfer service must be  
16 filed in writing with the department no later than July 1, 1998. If  
17 the individual is not employed by an employer in an eligible position,  
18 as of July 1, 1997, the election to transfer service must be filed in

1 writing with the department no later than one year from the date they  
2 are employed by an employer in an eligible position.

3 (2) An individual transferring service under this section forfeits  
4 the rights to all benefits as a member of the law enforcement officers'  
5 and fire fighters' retirement system plan I and will be permanently  
6 excluded from membership.

7 (3) Any individual choosing to transfer service under this section  
8 will have transferred to their current retirement system and plan: (a)  
9 All the individual's accumulated contributions; (b) an amount  
10 sufficient to ensure that the employer contribution rate in the  
11 individual's current system and plan will not increase due to the  
12 transfer; and (c) all applicable months of service, as defined in RCW  
13 41.26.030(14)(a).

14 (4) If an individual has withdrawn contributions from the law  
15 enforcement officers' and fire fighters' retirement system plan I, the  
16 individual may restore the contributions, together with interest as  
17 determined by the director, and recover the service represented by the  
18 contributions for the sole purpose of transferring service under this  
19 section. The contributions must be restored before the transfer can  
20 occur and the restoration must be completed within the time limitations  
21 specified in subsection (1) of this section.

22 (5) Any service transferred under this section does not apply to  
23 the eligibility requirements for military service credit as defined in  
24 RCW 41.40.170(3) or 43.43.260(3).

25 (6) If an individual does not meet the time limitations of  
26 subsection (1) of this section, the individual may elect to restore any  
27 withdrawn contributions and transfer service under this section by  
28 paying the amount required under subsection (3)(b) of this section less  
29 any employee contributions transferred.

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