
HOUSE BILL 2719

State of Washington

65th Legislature

2018 Regular Session

By Representatives Vick and Harris

Read first time 01/12/18. Referred to Committee on Local Government.

1 AN ACT Relating to the size of cities that must establish a law
2 enforcement officers' and firefighters' retirement system plan 1
3 disability board; and reenacting and amending RCW 41.26.110.

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

5 **Sec. 1.** RCW 41.26.110 and 2013 c 213 s 1 and 2013 c 23 s 69 are
6 each reenacted and amended to read as follows:

7 (1) All claims for disability shall be acted upon and either
8 approved or disapproved by either type of disability board authorized
9 to be created in this section.

10 (a) Each city having a population of (~~twenty~~) thirty thousand
11 or more shall establish a disability board having jurisdiction over
12 all members employed by those cities and composed of the following
13 five members: Two members of the city legislative body to be
14 appointed by the mayor; one active or retired firefighter employed by
15 or retired from the city to be elected by the firefighters employed
16 by or retired from the city who are subject to the jurisdiction of
17 the board; one active or retired law enforcement officer employed by
18 or retired from the city to be elected by the law enforcement
19 officers employed by or retired from the city who are subject to the
20 jurisdiction of the board; and one member from the public at large
21 who resides within the city to be appointed by the other four members

1 designated in this subsection. Only those active or retired
2 firefighters and law enforcement officers who are subject to the
3 jurisdiction of the board have the right to elect under this section.
4 All firefighters and law enforcement officers employed by or retired
5 from the city are eligible for election. Each of the elected members
6 shall serve a two year term. If there are either no firefighters or
7 law enforcement officers under the jurisdiction of the board eligible
8 to vote, a second eligible employee representative shall be elected
9 by the law enforcement officers or firefighters eligible to vote. The
10 members appointed pursuant to this subsection shall serve for two
11 year terms: PROVIDED, That cities of the first class only, shall
12 retain existing firefighters' pension boards established pursuant to
13 RCW 41.16.020 and existing boards of trustees of the relief and
14 pension fund of the police department as established pursuant to RCW
15 41.20.010 which such boards shall have authority to act upon and
16 approve or disapprove claims for disability by firefighters or law
17 enforcement officers as provided under the Washington law enforcement
18 officers' and firefighters' retirement system act.

19 (b) Each county shall establish a disability board having
20 jurisdiction over all members employed by or retired from an employer
21 within the county and not employed by a city in which a disability
22 board is established. The county disability board so created shall be
23 composed of five members to be chosen as follows: One member of the
24 legislative body of the county to be appointed by the county
25 legislative body; one member of a city or town legislative body
26 located within the county which does not contain a city disability
27 board established pursuant to (a) of this subsection to be chosen by
28 a majority of the mayors of such cities and towns within the county
29 which does not contain a city disability board; one active
30 firefighter or retired firefighter employed by or retired from an
31 employer within the county to be elected by the firefighters employed
32 or retired from an employer within the county who are not employed by
33 or retired from a city in which a disability board is established and
34 who are subject to the jurisdiction of that board; one law
35 enforcement officer or retired law enforcement officer employed by or
36 retired from an employer within the county to be elected by the law
37 enforcement officers employed in or retired from an employer within
38 the county who are not employed by or retired from a city in which a
39 disability board is established and who are subject to the
40 jurisdiction of that board; and one member from the public at large

1 who resides within the county but does not reside within a city in
2 which a city disability board is established, to be appointed by the
3 other four members designated in this subsection. However, in
4 counties with a population less than sixty thousand, the member of
5 the disability board appointed by a majority of the mayors of the
6 cities and towns within the county that do not contain a city
7 disability board must be a resident of one of the cities and towns
8 but need not be a member of a city or town legislative body. Only
9 those active or retired firefighters and law enforcement officers who
10 are subject to the jurisdiction of the board have the right to elect
11 under this section. All firefighters and law enforcement officers
12 employed by or retired from an employer within the county who are not
13 employed by or retired from a city in which a disability board is
14 established are eligible for election. All members appointed or
15 elected pursuant to this subsection shall serve for two year terms.
16 If there are no firefighters under the jurisdiction of the board
17 eligible to vote, a second eligible employee representative shall be
18 elected by the law enforcement officers eligible to vote. If there
19 are no law enforcement officers under the jurisdiction of the board
20 eligible to vote, a second eligible representative shall be elected
21 by the firefighters eligible to vote.

22 (2) The members of both the county and city disability boards
23 shall not receive compensation for their service upon the boards but
24 the members shall be reimbursed by their respective county or city
25 for all expenses incidental to such service as to the amount
26 authorized by law.

27 (3) The disability boards authorized for establishment by this
28 section shall perform all functions, exercise all powers, and make
29 all such determinations as specified in this chapter.

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