
HOUSE BILL 1388

State of Washington

66th Legislature

2019 Regular Session

By Representatives Doglio, Volz, Dolan, Caldier, Fitzgibbon, Appleton, and Ortiz-Self

Read first time 01/21/19. Referred to Committee on Appropriations.

1 AN ACT Relating to allowing retirees who retired under alternate
2 early retirement factors enacted in chapter 491, Laws of 2007, to use
3 postretirement options prior to reaching age sixty-five; amending RCW
4 41.40.630, 41.40.820, 41.32.765, 41.32.875, 41.35.420, 41.35.680, and
5 28A.300.615; and repealing RCW 41.32.068.

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

7 **Sec. 1.** RCW 41.40.630 and 2012 1st sp.s. c 7 s 5 are each
8 amended to read as follows:

9 (1) NORMAL RETIREMENT. Any member with at least five service
10 credit years who has attained at least age sixty-five shall be
11 eligible to retire and to receive a retirement allowance computed
12 according to the provisions of RCW 41.40.620.

13 (2) EARLY RETIREMENT. Any member who has completed at least
14 twenty service credit years and has attained age fifty-five shall be
15 eligible to retire and to receive a retirement allowance computed
16 according to the provisions of RCW 41.40.620, except that a member
17 retiring pursuant to this subsection shall have the retirement
18 allowance actuarially reduced to reflect the difference in the number
19 of years between age at retirement and the attainment of age sixty-
20 five.

21 (3) ALTERNATE EARLY RETIREMENT.

1 (a) Any member who has completed at least thirty service credit
2 years and has attained age fifty-five shall be eligible to retire and
3 to receive a retirement allowance computed according to the
4 provisions of RCW 41.40.620, except that a member retiring pursuant
5 to this subsection shall have the retirement allowance reduced by
6 three percent per year to reflect the difference in the number of
7 years between age at retirement and the attainment of age sixty-five.

8 (b) On or after July 1, 2008, any member who has completed at
9 least thirty service credit years and has attained age fifty-five
10 shall be eligible to retire and to receive a retirement allowance
11 computed according to the provisions of RCW 41.40.620, except that a
12 member retiring pursuant to this subsection shall have the retirement
13 allowance reduced as follows:

14	Retirement	Percent
15	Age	Reduction
16	55	20%
17	56	17%
18	57	14%
19	58	11%
20	59	8%
21	60	5%
22	61	2%
23	62	0%
24	63	0%
25	64	0%

26 Except as provided in (c) of this subsection, any member who
27 retires under the provisions of this subsection is ineligible for the
28 postretirement employment provisions of RCW 41.40.037(2) ((-d-)) until
29 the retired member has reached sixty-five years of age. For purposes
30 of this subsection, employment with an employer also includes any
31 personal service contract, service by an employer as a temporary or
32 project employee, or any other similar compensated relationship with
33 any employer included under the provisions of RCW 41.40.690(1).

34 ~~((The subsidized reductions for alternate early retirement in~~
35 ~~this subsection as set forth in section 9, chapter 491, Laws of 2007~~
36 ~~were intended by the legislature as replacement benefits for gain-~~

1 ~~sharing. Until there is legal certainty with respect to the repeal of~~
2 ~~chapter 41.31A RCW, the right to retire under this subsection is~~
3 ~~noncontractual, and the legislature reserves the right to amend or~~
4 ~~repeal this subsection. Legal certainty includes, but is not limited~~
5 ~~to, the expiration of any: Applicable limitations on actions; and~~
6 ~~periods of time for seeking appellate review, up to and including~~
7 ~~reconsideration by the Washington supreme court and the supreme court~~
8 ~~of the United States. Until that time, eligible members may still~~
9 ~~retire under this subsection, and upon receipt of the first~~
10 ~~installment of a retirement allowance computed under this subsection,~~
11 ~~the resulting benefit becomes contractual for the recipient. If the~~
12 ~~repeal of chapter 41.31A RCW is held to be invalid in a final~~
13 ~~determination of a court of law, and the court orders reinstatement~~
14 ~~of gain-sharing or other alternate benefits as a remedy, then~~
15 ~~retirement benefits for any member who has completed at least thirty~~
16 ~~service credit years and has attained age fifty-five but has not yet~~
17 ~~received the first installment of a retirement allowance under this~~
18 ~~subsection shall be computed using the reductions in (a) of this~~
19 ~~subsection.))~~

20 (c) From the effective date of this section and until August 1,
21 2022, members who retire under (b) of this subsection are eligible
22 for the postretirement provisions of RCW 41.40.037(2) before reaching
23 age sixty-five.

24 (d) Members who first become employed by an employer in an
25 eligible position on or after May 1, 2013, are not eligible for the
26 alternate early retirement provisions of (a) or (b) of this
27 subsection. Any member who first becomes employed by an employer in
28 an eligible position on or after May 1, 2013, and has completed at
29 least thirty service credit years and has attained age fifty-five
30 shall be eligible to retire and to receive a retirement allowance
31 computed according to the provisions of RCW 41.40.620, except that a
32 member retiring pursuant to this subsection shall have the retirement
33 allowance reduced by five percent per year to reflect the difference
34 in the number of years between age at retirement and the attainment
35 of age sixty-five.

36 **Sec. 2.** RCW 41.40.820 and 2012 1st sp.s. c 7 s 6 are each
37 amended to read as follows:

38 (1) NORMAL RETIREMENT. Any member who is at least age sixty-five
39 and who has:

1 (a) Completed ten service credit years; or
 2 (b) Completed five service credit years, including twelve service
 3 credit months after attaining age forty-four; or
 4 (c) Completed five service credit years by the transfer payment
 5 date specified in RCW 41.40.795, under the public employees'
 6 retirement system plan 2 and who transferred to plan 3 under RCW
 7 41.40.795;
 8 shall be eligible to retire and to receive a retirement allowance
 9 computed according to the provisions of RCW 41.40.790.

10 (2) EARLY RETIREMENT. Any member who has attained at least age
 11 fifty-five and has completed at least ten years of service shall be
 12 eligible to retire and to receive a retirement allowance computed
 13 according to the provisions of RCW 41.40.790, except that a member
 14 retiring pursuant to this subsection shall have the retirement
 15 allowance actuarially reduced to reflect the difference in the number
 16 of years between age at retirement and the attainment of age sixty-
 17 five.

18 (3) ALTERNATE EARLY RETIREMENT.

19 (a) Any member who has completed at least thirty service credit
 20 years and has attained age fifty-five shall be eligible to retire and
 21 to receive a retirement allowance computed according to the
 22 provisions of RCW 41.40.790, except that a member retiring pursuant
 23 to this subsection shall have the retirement allowance reduced by
 24 three percent per year to reflect the difference in the number of
 25 years between age at retirement and the attainment of age sixty-five.

26 (b) On or after July 1, 2008, any member who has completed at
 27 least thirty service credit years and has attained age fifty-five
 28 shall be eligible to retire and to receive a retirement allowance
 29 computed according to the provisions of RCW 41.40.790, except that a
 30 member retiring pursuant to this subsection shall have the retirement
 31 allowance reduced as follows:

Retirement Age	Percent Reduction
55	20%
56	17%
57	14%
58	11%
59	8%

1	60	5%
2	61	2%
3	62	0%
4	63	0%
5	64	0%

6 Except as provided in (c) of this subsection, any member who
7 retires under the provisions of this subsection is ineligible for the
8 postretirement employment provisions of RCW 41.40.037(2) ~~((d))~~ until
9 the retired member has reached sixty-five years of age. For purposes
10 of this subsection, employment with an employer also includes any
11 personal service contract, service by an employer as a temporary or
12 project employee, or any other similar compensated relationship with
13 any employer included under the provisions of RCW 41.40.850(1).

14 ~~((The subsidized reductions for alternate early retirement in
15 this subsection as set forth in section 10, chapter 491, Laws of 2007
16 were intended by the legislature as replacement benefits for gain-
17 sharing. Until there is legal certainty with respect to the repeal of
18 chapter 41.31A RCW, the right to retire under this subsection is
19 noncontractual, and the legislature reserves the right to amend or
20 repeal this subsection. Legal certainty includes, but is not limited
21 to, the expiration of any: Applicable limitations on actions; and
22 periods of time for seeking appellate review, up to and including
23 reconsideration by the Washington supreme court and the supreme court
24 of the United States. Until that time, eligible members may still
25 retire under this subsection, and upon receipt of the first
26 installment of a retirement allowance computed under this subsection,
27 the resulting benefit becomes contractual for the recipient. If the
28 repeal of chapter 41.31A RCW is held to be invalid in a final
29 determination of a court of law, and the court orders reinstatement
30 of gain-sharing or other alternate benefits as a remedy, then
31 retirement benefits for any member who has completed at least thirty
32 service credit years and has attained age fifty-five but has not yet
33 received the first installment of a retirement allowance under this
34 subsection shall be computed using the reductions in (a) of this
35 subsection.))~~

36 (c) From the effective date of this section and until August 1,
37 2022, members who retire under (b) of this subsection are eligible

1 for the postretirement provisions of RCW 41.40.037(2) before reaching
2 age sixty-five.

3 (d) Members who first become employed by an employer in an
4 eligible position on or after May 1, 2013, are not eligible for the
5 alternate early retirement provisions of (a) or (b) of this
6 subsection. Any member who first becomes employed by an employer in
7 an eligible position on or after May 1, 2013, and has completed at
8 least thirty service credit years and has attained age fifty-five
9 shall be eligible to retire and to receive a retirement allowance
10 computed according to the provisions of RCW 41.40.790, except that a
11 member retiring pursuant to this subsection shall have the retirement
12 allowance reduced by five percent per year to reflect the difference
13 in the number of years between age at retirement and the attainment
14 of age sixty-five.

15 **Sec. 3.** RCW 41.32.765 and 2012 1st sp.s. c 7 s 1 are each
16 amended to read as follows:

17 (1) NORMAL RETIREMENT. Any member with at least five service
18 credit years of service who has attained at least age sixty-five
19 shall be eligible to retire and to receive a retirement allowance
20 computed according to the provisions of RCW 41.32.760.

21 (2) EARLY RETIREMENT. Any member who has completed at least
22 twenty service credit years of service who has attained at least age
23 fifty-five shall be eligible to retire and to receive a retirement
24 allowance computed according to the provisions of RCW 41.32.760,
25 except that a member retiring pursuant to this subsection shall have
26 the retirement allowance actuarially reduced to reflect the
27 difference in the number of years between age at retirement and the
28 attainment of age sixty-five.

29 (3) ALTERNATE EARLY RETIREMENT.

30 (a) Any member who has completed at least thirty service credit
31 years and has attained age fifty-five shall be eligible to retire and
32 to receive a retirement allowance computed according to the
33 provisions of RCW 41.32.760, except that a member retiring pursuant
34 to this subsection shall have the retirement allowance reduced by
35 three percent per year to reflect the difference in the number of
36 years between age at retirement and the attainment of age sixty-five.

37 (b) On or after September 1, 2008, any member who has completed
38 at least thirty service credit years and has attained age fifty-five
39 shall be eligible to retire and to receive a retirement allowance

1 computed according to the provisions of RCW 41.32.760, except that a
2 member retiring pursuant to this subsection shall have the retirement
3 allowance reduced as follows:

4	Retirement	Percent
5	Age	Reduction
6	55	20%
7	56	17%
8	57	14%
9	58	11%
10	59	8%
11	60	5%
12	61	2%
13	62	0%
14	63	0%
15	64	0%

16 Except as provided in (c) of this subsection, any member who
17 retires under the provisions of this subsection is ineligible for the
18 postretirement employment provisions of RCW 41.32.802(2) until the
19 retired member has reached sixty-five years of age. For purposes of
20 this subsection, employment with an employer also includes any
21 personal service contract, service by an employer as a temporary or
22 project employee, or any other similar compensated relationship with
23 any employer included under the provisions of RCW 41.32.800(1).

24 ~~((The subsidized reductions for alternate early retirement in~~
25 ~~this subsection as set forth in section 2, chapter 491, Laws of 2007~~
26 ~~were intended by the legislature as replacement benefits for gain-~~
27 ~~sharing. Until there is legal certainty with respect to the repeal of~~
28 ~~chapter 41.31A RCW, the right to retire under this subsection is~~
29 ~~noncontractual, and the legislature reserves the right to amend or~~
30 ~~repeal this subsection. Legal certainty includes, but is not limited~~
31 ~~to, the expiration of any: Applicable limitations on actions; and~~
32 ~~periods of time for seeking appellate review, up to and including~~
33 ~~reconsideration by the Washington supreme court and the supreme court~~
34 ~~of the United States. Until that time, eligible members may still~~
35 ~~retire under this subsection, and upon receipt of the first~~
36 ~~installment of a retirement allowance computed under this subsection,~~

1 ~~the resulting benefit becomes contractual for the recipient. If the~~
2 ~~repeal of chapter 41.31A RCW is held to be invalid in a final~~
3 ~~determination of a court of law, and the court orders reinstatement~~
4 ~~of gain-sharing or other alternate benefits as a remedy, then~~
5 ~~retirement benefits for any member who has completed at least thirty~~
6 ~~service credit years and has attained age fifty-five but has not yet~~
7 ~~received the first installment of a retirement allowance under this~~
8 ~~subsection shall be computed using the reductions in (a) of this~~
9 ~~subsection.)~~)

10 (c) From the effective date of this section and until August 1,
11 2022, members who retire under (b) of this subsection are eligible
12 for the postretirement provisions of RCW 41.32.802 before reaching
13 age sixty-five.

14 (d) Members who first become employed by an employer in an
15 eligible position on or after May 1, 2013, are not eligible for the
16 alternate early retirement provisions of (a) or (b) of this
17 subsection. Any member who first becomes employed by an employer in
18 an eligible position on or after May 1, 2013, and has completed at
19 least thirty service credit years and has attained age fifty-five
20 shall be eligible to retire and to receive a retirement allowance
21 computed according to the provisions of RCW 41.32.760, except that a
22 member retiring pursuant to this subsection shall have the retirement
23 allowance reduced by five percent per year to reflect the difference
24 in the number of years between age at retirement and the attainment
25 of age sixty-five.

26 **Sec. 4.** RCW 41.32.875 and 2012 1st sp.s. c 7 s 2 are each
27 amended to read as follows:

28 (1) NORMAL RETIREMENT. Any member who is at least age sixty-five
29 and who has:

30 (a) Completed ten service credit years; or

31 (b) Completed five service credit years, including twelve service
32 credit months after attaining age forty-four; or

33 (c) Completed five service credit years by July 1, 1996, under
34 plan 2 and who transferred to plan 3 under RCW 41.32.817;
35 shall be eligible to retire and to receive a retirement allowance
36 computed according to the provisions of RCW 41.32.840.

37 (2) EARLY RETIREMENT. Any member who has attained at least age
38 fifty-five and has completed at least ten years of service shall be
39 eligible to retire and to receive a retirement allowance computed

1 according to the provisions of RCW 41.32.840, except that a member
2 retiring pursuant to this subsection shall have the retirement
3 allowance actuarially reduced to reflect the difference in the number
4 of years between age at retirement and the attainment of age sixty-
5 five.

6 (3) ALTERNATE EARLY RETIREMENT.

7 (a) Any member who has completed at least thirty service credit
8 years and has attained age fifty-five shall be eligible to retire and
9 to receive a retirement allowance computed according to the
10 provisions of RCW 41.32.840, except that a member retiring pursuant
11 to this subsection shall have the retirement allowance reduced by
12 three percent per year to reflect the difference in the number of
13 years between age at retirement and the attainment of age sixty-five.

14 (b) On or after September 1, 2008, any member who has completed
15 at least thirty service credit years and has attained age fifty-five
16 shall be eligible to retire and to receive a retirement allowance
17 computed according to the provisions of RCW 41.32.840, except that a
18 member retiring pursuant to this subsection shall have the retirement
19 allowance reduced as follows:

20	Retirement	Percent
21	Age	Reduction
22	55	20%
23	56	17%
24	57	14%
25	58	11%
26	59	8%
27	60	5%
28	61	2%
29	62	0%
30	63	0%
31	64	0%

32 Except as provided in (c) of this subsection, any member who
33 retires under the provisions of this subsection is ineligible for the
34 postretirement employment provisions of RCW 41.32.862(2) until the
35 retired member has reached sixty-five years of age. For purposes of
36 this subsection, employment with an employer also includes any

1 personal service contract, service by an employer as a temporary or
2 project employee, or any other similar compensated relationship with
3 any employer included under the provisions of RCW 41.32.860(1).

4 ~~((The subsidized reductions for alternate early retirement in
5 this subsection as set forth in section 4, chapter 491, Laws of 2007
6 were intended by the legislature as replacement benefits for gain-
7 sharing. Until there is legal certainty with respect to the repeal of
8 chapter 41.31A RCW, the right to retire under this subsection is
9 noncontractual, and the legislature reserves the right to amend or
10 repeal this subsection. Legal certainty includes, but is not limited
11 to, the expiration of any: Applicable limitations on actions; and
12 periods of time for seeking appellate review, up to and including
13 reconsideration by the Washington supreme court and the supreme court
14 of the United States. Until that time, eligible members may still
15 retire under this subsection, and upon receipt of the first
16 installment of a retirement allowance computed under this subsection,
17 the resulting benefit becomes contractual for the recipient. If the
18 repeal of chapter 41.31A RCW is held to be invalid in a final
19 determination of a court of law, and the court orders reinstatement
20 of gain-sharing or other alternate benefits as a remedy, then
21 retirement benefits for any member who has completed at least thirty
22 service credit years and has attained age fifty-five but has not yet
23 received the first installment of a retirement allowance under this
24 subsection shall be computed using the reductions in (a) of this
25 subsection.))~~

26 (c) From the effective date of this section and until August 1,
27 2022, members who retire under (b) of this subsection are eligible
28 for the postretirement provisions of RCW 41.32.862 before reaching
29 age sixty-five.

30 (d) Members who first become employed by an employer in an
31 eligible position on or after May 1, 2013, are not eligible for the
32 alternate early retirement provisions of (a) or (b) of this
33 subsection. Any member who first becomes employed by an employer in
34 an eligible position on or after May 1, 2013, and has completed at
35 least thirty service credit years and has attained age fifty-five
36 shall be eligible to retire and to receive a retirement allowance
37 computed according to the provisions of RCW 41.32.840, except that a
38 member retiring pursuant to this subsection shall have the retirement
39 allowance reduced by five percent per year to reflect the difference

1 in the number of years between age at retirement and the attainment
2 of age sixty-five.

3 **Sec. 5.** RCW 41.35.420 and 2012 1st sp.s. c 7 s 3 are each
4 amended to read as follows:

5 (1) NORMAL RETIREMENT. Any member with at least five service
6 credit years who has attained at least age sixty-five shall be
7 eligible to retire and to receive a retirement allowance computed
8 according to the provisions of RCW 41.35.400.

9 (2) EARLY RETIREMENT. Any member who has completed at least
10 twenty service credit years and has attained age fifty-five shall be
11 eligible to retire and to receive a retirement allowance computed
12 according to the provisions of RCW 41.35.400, except that a member
13 retiring pursuant to this subsection shall have the retirement
14 allowance actuarially reduced to reflect the difference in the number
15 of years between age at retirement and the attainment of age sixty-
16 five.

17 (3) ALTERNATE EARLY RETIREMENT.

18 (a) Any member who has completed at least thirty service credit
19 years and has attained age fifty-five shall be eligible to retire and
20 to receive a retirement allowance computed according to the
21 provisions of RCW 41.35.400, except that a member retiring pursuant
22 to this subsection shall have the retirement allowance reduced by
23 three percent per year to reflect the difference in the number of
24 years between age at retirement and the attainment of age sixty-five.

25 (b) On or after September 1, 2008, any member who has completed
26 at least thirty service credit years and has attained age fifty-five
27 shall be eligible to retire and to receive a retirement allowance
28 computed according to the provisions of RCW 41.35.400, except that a
29 member retiring pursuant to this subsection shall have the retirement
30 allowance reduced as follows:

31	Retirement	Percent
32	Age	Reduction
33	55	20%
34	56	17%
35	57	14%
36	58	11%
37	59	8%

1	60	5%
2	61	2%
3	62	0%
4	63	0%
5	64	0%

6 Except as provided in (c) of this subsection, any member who
7 retires under the provisions of this subsection is ineligible for the
8 postretirement employment provisions of RCW 41.35.060(2) until the
9 retired member has reached sixty-five years of age. For purposes of
10 this subsection, employment with an employer also includes any
11 personal service contract, service by an employer as a temporary or
12 project employee, or any other similar compensated relationship with
13 any employer included under the provisions of RCW 41.35.230(1).

14 ~~((The subsidized reductions for alternate early retirement in~~
15 ~~this subsection as set forth in section 6, chapter 491, Laws of 2007~~
16 ~~were intended by the legislature as replacement benefits for gain-~~
17 ~~sharing. Until there is legal certainty with respect to the repeal of~~
18 ~~chapter 41.31A RCW, the right to retire under this subsection is~~
19 ~~noncontractual, and the legislature reserves the right to amend or~~
20 ~~repeal this subsection. Legal certainty includes, but is not limited~~
21 ~~to, the expiration of any: Applicable limitations on actions; and~~
22 ~~periods of time for seeking appellate review, up to and including~~
23 ~~reconsideration by the Washington supreme court and the supreme court~~
24 ~~of the United States. Until that time, eligible members may still~~
25 ~~retire under this subsection, and upon receipt of the first~~
26 ~~installment of a retirement allowance computed under this subsection,~~
27 ~~the resulting benefit becomes contractual for the recipient. If the~~
28 ~~repeal of chapter 41.31A RCW is held to be invalid in a final~~
29 ~~determination of a court of law, and the court orders reinstatement~~
30 ~~of gain-sharing or other alternate benefits as a remedy, then~~
31 ~~retirement benefits for any member who has completed at least thirty~~
32 ~~service credit years and has attained age fifty-five but has not yet~~
33 ~~received the first installment of a retirement allowance under this~~
34 ~~subsection shall be computed using the reductions in (a) of this~~
35 ~~subsection.))~~

36 (c) From the effective date of this section and until August 1,
37 2022, members who retire under (b) of this subsection are eligible

1 for the postretirement provisions of RCW 41.35.060 before reaching
2 age sixty-five.

3 (d) Members who first become employed by an employer in an
4 eligible position on or after May 1, 2013, are not eligible for the
5 alternate early retirement provisions of (a) or (b) of this
6 subsection. Any member who first becomes employed by an employer in
7 an eligible position on or after May 1, 2013, and has completed at
8 least thirty service credit years and has attained age fifty-five
9 shall be eligible to retire and to receive a retirement allowance
10 computed according to the provisions of RCW 41.35.400, except that a
11 member retiring pursuant to this subsection shall have the retirement
12 allowance reduced by five percent per year to reflect the difference
13 in the number of years between age at retirement and the attainment
14 of age sixty-five.

15 **Sec. 6.** RCW 41.35.680 and 2012 1st sp.s. c 7 s 4 are each
16 amended to read as follows:

17 (1) NORMAL RETIREMENT. Any member who is at least age sixty-five
18 and who has:

19 (a) Completed ten service credit years; or

20 (b) Completed five service credit years, including twelve service
21 credit months after attaining age forty-four; or

22 (c) Completed five service credit years by September 1, 2000,
23 under the public employees' retirement system plan 2 and who
24 transferred to plan 3 under RCW 41.35.510;

25 shall be eligible to retire and to receive a retirement allowance
26 computed according to the provisions of RCW 41.35.620.

27 (2) EARLY RETIREMENT. Any member who has attained at least age
28 fifty-five and has completed at least ten years of service shall be
29 eligible to retire and to receive a retirement allowance computed
30 according to the provisions of RCW 41.35.620, except that a member
31 retiring pursuant to this subsection shall have the retirement
32 allowance actuarially reduced to reflect the difference in the number
33 of years between age at retirement and the attainment of age sixty-
34 five.

35 (3) ALTERNATE EARLY RETIREMENT.

36 (a) Any member who has completed at least thirty service credit
37 years and has attained age fifty-five shall be eligible to retire and
38 to receive a retirement allowance computed according to the
39 provisions of RCW 41.35.620, except that a member retiring pursuant

1 to this subsection shall have the retirement allowance reduced by
2 three percent per year to reflect the difference in the number of
3 years between age at retirement and the attainment of age sixty-five.

4 (b) On or after September 1, 2008, any member who has completed
5 at least thirty service credit years and has attained age fifty-five
6 shall be eligible to retire and to receive a retirement allowance
7 computed according to the provisions of RCW 41.35.620, except that a
8 member retiring pursuant to this subsection shall have the retirement
9 allowance reduced as follows:

10	Retirement	Percent
11	Age	Reduction
12	55	20%
13	56	17%
14	57	14%
15	58	11%
16	59	8%
17	60	5%
18	61	2%
19	62	0%
20	63	0%
21	64	0%

22 Except as provided in (c) of this subsection, any member who
23 retires under the provisions of this subsection is ineligible for the
24 postretirement employment provisions of RCW 41.35.060(2) until the
25 retired member has reached sixty-five years of age. For purposes of
26 this subsection, employment with an employer also includes any
27 personal service contract, service by an employer as a temporary or
28 project employee, or any other similar compensated relationship with
29 any employer included under the provisions of RCW 41.35.230(1).

30 ~~((The subsidized reductions for alternate early retirement in~~
31 ~~this subsection as set forth in section 8, chapter 491, Laws of 2007~~
32 ~~were intended by the legislature as replacement benefits for gain-~~
33 ~~sharing. Until there is legal certainty with respect to the repeal of~~
34 ~~chapter 41.31A RCW, the right to retire under this subsection is~~
35 ~~noncontractual, and the legislature reserves the right to amend or~~
36 ~~repeal this subsection. Legal certainty includes, but is not limited~~

1 ~~to, the expiration of any: Applicable limitations on actions; and~~
2 ~~periods of time for seeking appellate review, up to and including~~
3 ~~reconsideration by the Washington supreme court and the supreme court~~
4 ~~of the United States. Until that time, eligible members may still~~
5 ~~retire under this subsection, and upon receipt of the first~~
6 ~~installment of a retirement allowance computed under this subsection,~~
7 ~~the resulting benefit becomes contractual for the recipient. If the~~
8 ~~repeal of chapter 41.31A RCW is held to be invalid in a final~~
9 ~~determination of a court of law, and the court orders reinstatement~~
10 ~~of gain-sharing or other alternate benefits as a remedy, then~~
11 ~~retirement benefits for any member who has completed at least thirty~~
12 ~~service credit years and has attained age fifty-five but has not yet~~
13 ~~received the first installment of a retirement allowance under this~~
14 ~~subsection shall be computed using the reductions in (a) of this~~
15 ~~subsection.))~~

16 (c) From the effective date of this section and until August 1,
17 2022, members who retire under (b) of this subsection are eligible
18 for the postretirement provisions of RCW 41.35.060 before reaching
19 age sixty-five.

20 (d) Members who first become employed by an employer in an
21 eligible position on or after May 1, 2013, are not eligible for the
22 alternate early retirement provisions of (a) or (b) of this
23 subsection. Any member who first becomes employed by an employer in
24 an eligible position on or after May 1, 2013, and has completed at
25 least thirty service credit years and has attained age fifty-five
26 shall be eligible to retire and to receive a retirement allowance
27 computed according to the provisions of RCW 41.35.620, except that a
28 member retiring pursuant to this subsection shall have the retirement
29 allowance reduced by five percent per year to reflect the difference
30 in the number of years between age at retirement and the attainment
31 of age sixty-five.

32 **Sec. 7.** RCW 28A.300.615 and 2016 c 233 s 8 are each amended to
33 read as follows:

34 (1) By October 1st of each year, a school district must report to
35 the office of the superintendent of public instruction:

36 (a) The number of substitute teachers hired per school year;

37 (b) The number of substitute teachers hired under RCW
38 ((28A.410.252)) 41.32.765(3)(c) and 41.32.875(3)(c) per school year;

39 (c) The full daily compensation rate per substitute teacher; and

1 (d) The reason for hiring the substitute teacher.

2 (2) By January 1st of each year, the office of the superintendent
3 of public instruction must post on its web site the information
4 identified in subsection (1) of this section.

5 NEW SECTION. **Sec. 8.** RCW 41.32.068 (Postretirement employment
6 options) and 2016 c 233 s 7 are each repealed.

--- END ---