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**SENATE BILL 5718**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Lovick, Cortes, and C. Wilson

Read first time 02/10/25. Referred to Committee on Ways & Means.

1 AN ACT Relating to providing members of the teachers' retirement  
2 system plan 3 and school employees' retirement system plan 3 that  
3 were never offered a choice of plan 2 the opportunity to irrevocably  
4 transfer to plan 2 for future service; adding a new section to  
5 chapter 41.32 RCW; adding a new section to chapter 41.35 RCW; and  
6 creating a new section.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.32  
9 RCW under the subchapter heading "plan 3" to read as follows:

10 (1) Any plan 3 member who joined plan 3 between July 1, 1996, and  
11 June 30, 2007, and as a result was never offered the opportunity to  
12 choose between plan 2 and plan 3, may make an irrevocable choice to  
13 transfer to plan 2 during any January after the effective date of  
14 this section for purposes of future service, provided that the member  
15 earns service credit for that month.

16 (2) The legislature reserves the right to modify or discontinue  
17 the right to transfer under this section.

18 (3) Anyone previously retired from plan 3 is prohibited from  
19 transferring to plan 2.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 41.35  
2    RCW under the subchapter heading "plan 3" to read as follows:

3        (1) Any plan 3 member who joined plan 3 between September 1,  
4    2000, and June 30, 2007, and as a result was never offered the  
5    opportunity to choose between plan 2 and plan 3, may make an  
6    irrevocable choice during any January after the effective date of  
7    this section to transfer to plan 3 for purposes of future service.

8        (2) The legislature reserves the right to modify or discontinue  
9    the right to transfer under this section.

10       (3) Anyone previously retired from plan 3 is prohibited from  
11    transferring to plan 2.

12       NEW SECTION.    **Sec. 3.**    In the event that the state receives a  
13    determination letter or other formal guidance from the federal  
14    internal revenue service that the options provided in this act  
15    conflict with federal law, the choice to transfer from plan 3 to plan  
16    2 under sections 2 and 3 of this act is suspended until subsequent  
17    federal internal revenue service guidance is received that any  
18    conflict with federal law has been resolved.

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