

WAC 415-108-725 If I have retired from another retirement system or am eligible to retire, am I excluded from participating in PERS?

(1) If you have **retired** from another retirement system authorized by the laws of this state you cannot participate in PERS membership unless:

- (a) You established membership in PERS prior to March 19, 1976;
- (b) You accrued less than fifteen years of service credit in the other retirement system; or
- (c) You are a LEOFF Plan 2 retiree returning to work in a PERS eligible position and choose to participate in PERS membership. See WAC 415-104-111.

(2) If you are **eligible for normal retirement** from another retirement system listed in RCW 41.50.030, you cannot participate in PERS membership unless:

- (a) You established membership in PERS prior to March 19, 1976;
- (b) You accrued less than fifteen years of service credit in the other retirement system; or
- (c) You are a dual member as described in RCW 41.54.010.

(3) If you are **receiving a disability allowance** from another retirement system listed in RCW 41.50.030, you cannot participate in PERS membership unless:

- (a) You established membership in PERS prior to March 19, 1976;

or

- (b) You are a LEOFF Plan 2 retiree returning to work in a PERS eligible position and choose to participate in PERS membership. See WAC 415-104-111.

(4) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Membership" - RCW 41.40.023.
- (b) "Service" - RCW 41.40.010.
- (c) "Normal retirement" - A member is eligible for normal retirement when they have met their plan's age and/or service credit requirements for a full retirement benefit. Normal retirement does not include early retirement with a reduced benefit, or early retirement with employment restrictions prior to full retirement age. See the following plan definitions of normal retirement:

- Public Employees' Retirement System (PERS) Plan 1 - RCW 41.40.180;
- Public Employees' Retirement System (PERS) Plan 2 - RCW 41.40.630(1);
- Public Employees' Retirement System (PERS) Plan 3 - RCW 41.40.820(1);
- Public Safety Employees' Retirement System (PSERS) - RCW 41.37.210 (1) and (2);
- School Employees' Retirement System (SERS) Plan 2 - RCW 41.35.420(1);
- School Employees' Retirement System (SERS) Plan 3 - RCW 41.35.680(1);
- Teachers' Retirement System (TRS) Plan 1 - RCW 41.32.480(1);
- Teachers' Retirement System (TRS) Plan 2 - RCW 41.32.765(1);
- Teachers' Retirement System (TRS) Plan 3 - RCW 41.32.875(1);
- Washington State Patrol Retirement System (WSPRS) - RCW 43.43.250(2).

[Statutory Authority: RCW 41.50.050(5). WSR 18-08-040, § 415-108-725, filed 3/28/18, effective 4/28/18. Statutory Authority: RCW 41.50.050(5), 41.04.270, and 41.26.500. WSR 09-19-046, § 415-108-725,

filed 9/10/09, effective 10/11/09. Statutory Authority: RCW 41.50.050(5) and chapter 41.40 RCW. WSR 02-18-046, § 415-108-725, filed 8/28/02, effective 9/30/02. Statutory Authority: RCW 41.50.050. WSR 95-16-053, § 415-108-725, filed 7/25/95, effective 8/25/95.]