

**WAC 415-108-464 Legislative leave.** If you take leave without pay from an eligible position to serve in the legislature, you may choose to participate in PERS as a legislator.

(1) **Plan 1:** Your reportable compensation is the salary you would have earned from your employer. You must pay employee contributions on this amount. Either you or your employer must pay employer contributions on the amount.

(2) **Plan 2 or 3:** You may choose your reportable compensation to be:

(a) The reportable compensation you would have earned from your employer; or

(b) Your actual reportable compensation for your legislative and nonlegislative service combined.

If you choose (2)(a) of this subsection and your reportable compensation is higher than it would have been under (2)(b) of this subsection, you must pay both employee and employer contributions on the excess amount.

[Statutory Authority: RCW 41.50.050(5) and 41.40.010(8). WSR 02-03-120, § 415-108-464, filed 1/23/02, effective 3/1/02. Statutory Authority: RCW 41.50.050. WSR 98-09-059, § 415-108-464, filed 4/17/98, effective 5/18/98.]