
SENATE BILL 5474

State of Washington

54th Legislature

1995 Regular Session

By Senators Fraser and Hargrove

Read first time 01/24/95. Referred to Committee on Ways & Means.

1 AN ACT Relating to benefits under prior retirement systems; and
2 amending RCW 41.54.020.

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

4 **Sec. 1.** RCW 41.54.020 and 1994 c 197 s 32 are each amended to read
5 as follows:

6 (1) Those persons who are dual members on or after July 1, 1988,
7 shall not receive a retirement benefit from any prior system while dual
8 members without the loss of all benefits under this chapter.
9 Retroactive retirement in any prior system will cancel membership in
10 any subsequent systems except as allowed under RCW 41.04.270 and will
11 result in the refund of all employee and employer contributions made to
12 such systems.

13 (2) If a member has withdrawn contributions from a prior system,
14 the member may restore the contributions, together with interest since
15 the date of withdrawal as determined by the system, and recover the
16 service represented by the contributions. Such restoration must be
17 completed within two years of establishing dual membership or prior to
18 retirement, whichever occurs first.

1 (3) If a member does not meet the time limitation under subsection
2 (2) of this section, the member, prior to retirement, may restore the
3 service credit destroyed by the withdrawn contributions by paying the
4 amount required under RCW 41.50.165(2). However, if a member failed to
5 meet the applicable statutory deadline and filed a petition with the
6 director of the department of retirement systems prior to January 1,
7 1995, requesting an extension of the applicable period; and if the
8 director's findings in denying the petition affirmatively show that the
9 failure was due to the fact that the department's customary bulletins
10 and other notifications that were furnished to the member's employer
11 for distribution were not furnished to the member by the employer, and
12 that the member did not otherwise receive notice through other channels
13 of communication and was not at fault, the member may elect to restore
14 the required contributions and interest and regain service credit under
15 subsection (2) of this section under the same terms and conditions and
16 without further liability as if the election had been made on a timely
17 basis. The election must be made not later than July 1, 1995, or prior
18 to retirement, whichever comes first. The department shall provide
19 written notice and an application directly to the affected members, and
20 any further assistance as may be necessary to implement this section.
21 (4) Any service accrued in one system by the member shall not
22 accrue in any other system.

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