

CERTIFICATION OF ENROLLMENT

SENATE BILL 5220

63rd Legislature
2013 Regular Session

Passed by the Senate April 23, 2013
YEAS 48 NAYS 0

President of the Senate

Passed by the House April 3, 2013
YEAS 97 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5220** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5220

AS AMENDED BY THE HOUSE

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By Senators Conway and Shin

Read first time 01/23/13. Referred to Committee on Governmental Operations.

1 AN ACT Relating to membership on city disability boards; and
2 amending RCW 41.26.110.

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

4 **Sec. 1.** RCW 41.26.110 and 2005 c 66 s 1 are each amended to read
5 as follows:

6 (1) All claims for disability shall be acted upon and either
7 approved or disapproved by either type of disability board authorized
8 to be created in this section.

9 (a) Each city having a population of twenty thousand or more shall
10 establish a disability board having jurisdiction over all members
11 employed by those cities and composed of the following five members:
12 Two members of the city legislative body to be appointed by the mayor;
13 one active or retired firefighter employed by or retired from the city
14 to be elected by the firefighters employed by or retired from the city
15 who are subject to the jurisdiction of the board; one active or retired
16 law enforcement officer employed by or retired from the city to be
17 elected by the law enforcement officers employed by or retired from the
18 city who are subject to the jurisdiction of the board; and one member
19 from the public at large who resides within the city to be appointed by

1 the other four members designated in this subsection. Only those
2 active or retired firefighters and law enforcement officers who are
3 subject to the jurisdiction of the board have the right to elect under
4 this section. All firefighters and law enforcement officers employed
5 by or retired from the city are eligible for election. Each of the
6 elected members shall serve a two year term. If there are either no
7 firefighters or law enforcement officers under the jurisdiction of the
8 board eligible to vote, a second eligible employee representative shall
9 be elected by the law enforcement officers or firefighters eligible to
10 vote. The members appointed pursuant to this subsection shall serve
11 for two year terms: PROVIDED, That cities of the first class only,
12 shall retain existing ((firemen's)) firefighters' pension boards
13 established pursuant to RCW 41.16.020 and existing boards of trustees
14 of the relief and pension fund of the police department as established
15 pursuant to RCW 41.20.010 which such boards shall have authority to act
16 upon and approve or disapprove claims for disability by firefighters or
17 law enforcement officers as provided under the Washington law
18 enforcement officers' and firefighters' retirement system act.

19 (b) Each county shall establish a disability board having
20 jurisdiction over all members employed by or retired from an employer
21 within the county and not employed by a city in which a disability
22 board is established. The county disability board so created shall be
23 composed of five members to be chosen as follows: One member of the
24 legislative body of the county to be appointed by the county
25 legislative body; one member of a city or town legislative body located
26 within the county which does not contain a city disability board
27 established pursuant to ((~~subsection (1)~~))(a) of this subsection to be
28 chosen by a majority of the mayors of such cities and towns within the
29 county which does not contain a city disability board; one active
30 firefighter or retired firefighter employed by or retired from an
31 employer within the county to be elected by the firefighters employed
32 or retired from an employer within the county who are not employed by
33 or retired from a city in which a disability board is established and
34 who are subject to the jurisdiction of that board; one law enforcement
35 officer or retired law enforcement officer employed by or retired from
36 an employer within the county to be elected by the law enforcement
37 officers employed in or retired from an employer within the county who
38 are not employed by or retired from a city in which a disability board

1 is established and who are subject to the jurisdiction of that board;
2 and one member from the public at large who resides within the county
3 but does not reside within a city in which a city disability board is
4 established, to be appointed by the other four members designated in
5 this subsection. However, in counties with a population less than
6 sixty thousand, the member of the disability board appointed by a
7 majority of the mayors of the cities and towns within the county that
8 do not contain a city disability board must be a resident of one of the
9 cities and towns but need not be a member of a city or town legislative
10 body. Only those active or retired firefighters and law enforcement
11 officers who are subject to the jurisdiction of the board have the
12 right to elect under this section. All firefighters and law
13 enforcement officers employed by or retired from an employer within the
14 county who are not employed by or retired from a city in which a
15 disability board is established are eligible for election. All members
16 appointed or elected pursuant to this subsection shall serve for two
17 year terms. If there are no firefighters under the jurisdiction of the
18 board eligible to vote, a second eligible employee representative shall
19 be elected by the law enforcement officers eligible to vote. If there
20 are no law enforcement officers under the jurisdiction of the board
21 eligible to vote, a second eligible representative shall be elected by
22 the firefighters eligible to vote.

23 (2) The members of both the county and city disability boards shall
24 not receive compensation for their service upon the boards but the
25 members shall be reimbursed by their respective county or city for all
26 expenses incidental to such service as to the amount authorized by law.

27 (3) The disability boards authorized for establishment by this
28 section shall perform all functions, exercise all powers, and make all
29 such determinations as specified in this chapter.

--- END ---