

# FINAL BILL REPORT

## HB 1408

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C 102 L 19  
Synopsis as Enacted

**Brief Description:** Clarifying the written consent requirement for survivorship benefit options.

**Sponsors:** Representatives Volz, Ormsby, Fitzgibbon and Bergquist; by request of Select Committee on Pension Policy and LEOFF Plan 2 Retirement Board.

**House Committee on Appropriations**  
**Senate Committee on Ways & Means**

**Background:**

Members of most plans of the Washington State Retirement Systems administered by the Department of Retirement Systems have the option of selecting a survivorship benefit as part of their pension benefit upon retirement. With a survivorship benefit, the member's lifetime monthly benefit is actuarially reduced. This means that today's value of the member's lifetime benefit remains the same; however depending on the benefit option selected, the monthly payments received by the member may be larger or smaller. The payments may be larger or smaller because they are stretched out over the course of the member's and survivor beneficiary's lifetime.

Pension benefits earned during the duration of a marriage are considered community property, and state law requires written consent of the spouse or domestic partner for any married member to not elect a survivorship benefit. Similarly, spousal or domestic partner consent is required for a member to name someone other than a spouse as their survivor beneficiary, or choose a survivor benefit that is not the joint and 50 percent option.

**Summary:**

The written consent of a spouse or domestic partner is not required for a member of the Washington State Retirement Systems to select a survivor benefit option at retirement if the spouse or domestic partner is the survivor beneficiary.

**Votes on Final Passage:**

House	96	0
Senate	45	1

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Effective:** July 28, 2019