

**SSB 5424** - H COMM AMD

By Committee on Community Safety, Justice, & Reentry

**NOT CONSIDERED 01/02/2024**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 49.28  
4 RCW to read as follows:

5 (1) Every general authority and limited authority Washington law  
6 enforcement agency may adopt a flexible work policy. The policy may  
7 allow for general authority and limited authority Washington peace  
8 officers to work at less than full time when feasible, such as  
9 supplementing work during peak hours with part-time officers. The  
10 flexible work policy may include alternative shift and work schedules  
11 that fit the needs of the law enforcement agency.

12 (2) The flexible work policy adopted in subsection (1) of this  
13 section may require an officer have a certain number of years of  
14 experience as a full-time officer or have additional training for the  
15 officer to work part time or be eligible for any other types of  
16 flexible work.

17 (3) The flexible work policy adopted in subsection (1) of this  
18 section may not cause the layoff or otherwise displace any full-time  
19 officer.

20 (4) This section does not alter any existing collective  
21 bargaining unit, the provisions of any existing collective bargaining  
22 agreement, or the duty of a law enforcement agency to meet their duty  
23 to bargain under chapter 41.56 or 41.80 RCW. Full-time and part-time  
24 officers working for the same law enforcement agency who are covered  
25 by a collective bargaining agreement must be in the same bargaining  
26 unit.

27 (5) This section does not alter any laws or workplace policies  
28 relating to restrictions on secondary employment for general  
29 authority and limited authority Washington peace officers.

30 (6) For the purposes of this section, the definitions in this  
31 subsection apply.

1 (a) "General authority and limited authority Washington law  
2 enforcement agency" has the same meaning as "general authority  
3 Washington law enforcement agency" and "limited authority Washington  
4 law enforcement agency" as defined in RCW 10.93.020 (3) and (5),  
5 respectively.

6 (b) "General authority and limited authority Washington peace  
7 officers" has the same meaning as "general authority Washington peace  
8 officer" and "limited authority Washington peace officer" as defined  
9 in RCW 10.93.020 (4) and (6), respectively.

10 **Sec. 2.** RCW 10.93.020 and 2021 c 318 s 307 are each reenacted  
11 and amended to read as follows:

12 As used in this chapter, the following terms have the meanings  
13 indicated unless the context clearly requires otherwise.

14 (1) "Agency with primary territorial jurisdiction" means a city  
15 or town police agency which has responsibility for police activity  
16 within its boundaries; or a county police or sheriff's department  
17 which has responsibility with regard to police activity in the  
18 unincorporated areas within the county boundaries; or a statutorily  
19 authorized port district police agency or four-year state college or  
20 university police agency which has responsibility for police activity  
21 within the statutorily authorized enforcement boundaries of the port  
22 district, state college, or university.

23 (2) "Federal peace officer" means any employee or agent of the  
24 United States government who has the authority to carry firearms and  
25 make warrantless arrests and whose duties involve the enforcement of  
26 criminal laws of the United States.

27 (3) "General authority Washington law enforcement agency" means  
28 any agency, department, or division of a municipal corporation,  
29 political subdivision, or other unit of local government of this  
30 state, and any agency, department, or division of state government,  
31 having as its primary function the detection and apprehension of  
32 persons committing infractions or violating the traffic or criminal  
33 laws in general, as distinguished from a limited authority Washington  
34 law enforcement agency, and any other unit of government expressly  
35 designated by statute as a general authority Washington law  
36 enforcement agency. The Washington state patrol and the department of  
37 fish and wildlife are general authority Washington law enforcement  
38 agencies.

1 (4) "General authority Washington peace officer" means any  
2 (~~full-time,~~) fully compensated and elected, appointed, or employed  
3 officer of a general authority Washington law enforcement agency who  
4 is commissioned to enforce the criminal laws of the state of  
5 Washington generally.

6 (5) "Limited authority Washington law enforcement agency" means  
7 any agency, political subdivision, or unit of local government of  
8 this state, and any agency, department, or division of state  
9 government, having as one of its functions the apprehension or  
10 detection of persons committing infractions or violating the traffic  
11 or criminal laws relating to limited subject areas, including but not  
12 limited to, the state departments of natural resources and social and  
13 health services, the state gambling commission, the state lottery  
14 commission, the state parks and recreation commission, the state  
15 utilities and transportation commission, the state liquor and  
16 cannabis board, the office of the insurance commissioner, the state  
17 department of corrections, and the office of independent  
18 investigations.

19 (6) "Limited authority Washington peace officer" means any  
20 (~~full-time,~~) fully compensated officer of a limited authority  
21 Washington law enforcement agency empowered by that agency to detect  
22 or apprehend violators of the laws in some or all of the limited  
23 subject areas for which that agency is responsible. A limited  
24 authority Washington peace officer may be a specially commissioned  
25 Washington peace officer if otherwise qualified for such status under  
26 this chapter.

27 (7) "Mutual law enforcement assistance" includes, but is not  
28 limited to, one or more law enforcement agencies aiding or assisting  
29 one or more other such agencies through loans or exchanges of  
30 personnel or of material resources, for law enforcement purposes.

31 (8) "Primary commissioning agency" means (a) the employing agency  
32 in the case of a general authority Washington peace officer, a  
33 limited authority Washington peace officer, a tribal peace officer  
34 from a federally recognized tribe, or a federal peace officer, and  
35 (b) the commissioning agency in the case of a specially commissioned  
36 Washington peace officer (i) who is performing functions within the  
37 course and scope of the special commission and (ii) who is not also a  
38 general authority Washington peace officer, a limited authority  
39 Washington peace officer, a tribal peace officer from a federally  
40 recognized tribe, or a federal peace officer.

1 (9) "Primary function of an agency" means that function to which  
2 greater than fifty percent of the agency's resources are allocated.

3 (10) "Specially commissioned Washington peace officer," for the  
4 purposes of this chapter, means any officer, whether part-time or  
5 full-time, compensated or not, commissioned by a general authority  
6 Washington law enforcement agency to enforce some or all of the  
7 criminal laws of the state of Washington, who does not qualify under  
8 this chapter as a general authority Washington peace officer for that  
9 commissioning agency, specifically including reserve peace officers,  
10 and specially commissioned full-time, fully compensated peace  
11 officers duly commissioned by the states of Oregon or Idaho or any  
12 such peace officer commissioned by a unit of local government of  
13 Oregon or Idaho. A reserve peace officer is an individual who is an  
14 officer of a Washington law enforcement agency who does not serve  
15 such agency on a full-time basis but who, when called by the agency  
16 into active service, is fully commissioned on the same basis as full-  
17 time peace officers to enforce the criminal laws of the state.

18 **Sec. 3.** RCW 41.26.030 and 2021 c 12 s 2 are each amended to read  
19 as follows:

20 As used in this chapter, unless a different meaning is plainly  
21 required by the context:

22 (1) "Accumulated contributions" means the employee's  
23 contributions made by a member, including any amount paid under RCW  
24 41.50.165(2), plus accrued interest credited thereon.

25 (2) "Actuarial reserve" means a method of financing a pension or  
26 retirement plan wherein reserves are accumulated as the liabilities  
27 for benefit payments are incurred in order that sufficient funds will  
28 be available on the date of retirement of each member to pay the  
29 member's future benefits during the period of retirement.

30 (3) "Actuarial valuation" means a mathematical determination of  
31 the financial condition of a retirement plan. It includes the  
32 computation of the present monetary value of benefits payable to  
33 present members, and the present monetary value of future employer  
34 and employee contributions, giving effect to mortality among active  
35 and retired members and also to the rates of disability, retirement,  
36 withdrawal from service, salary and interest earned on investments.

37 (4) (a) "Basic salary" for plan 1 members, means the basic monthly  
38 rate of salary or wages, including longevity pay but not including  
39 overtime earnings or special salary or wages, upon which pension or

1 retirement benefits will be computed and upon which employer  
2 contributions and salary deductions will be based.

3 (b) "Basic salary" for plan 2 members, means salaries or wages  
4 earned by a member during a payroll period for personal services,  
5 including overtime payments, and shall include wages and salaries  
6 deferred under provisions established pursuant to sections 403(b),  
7 414(h), and 457 of the United States Internal Revenue Code, but shall  
8 exclude lump sum payments for deferred annual sick leave, unused  
9 accumulated vacation, unused accumulated annual leave, or any form of  
10 severance pay. In any year in which a member serves in the  
11 legislature the member shall have the option of having such member's  
12 basic salary be the greater of:

13 (i) The basic salary the member would have received had such  
14 member not served in the legislature; or

15 (ii) Such member's actual basic salary received for  
16 nonlegislative public employment and legislative service combined.  
17 Any additional contributions to the retirement system required  
18 because basic salary under (b)(i) of this subsection is greater than  
19 basic salary under (b)(ii) of this subsection shall be paid by the  
20 member for both member and employer contributions.

21 (5)(a) "Beneficiary" for plan 1 members, means any person in  
22 receipt of a retirement allowance, disability allowance, death  
23 benefit, or any other benefit described herein.

24 (b) "Beneficiary" for plan 2 members, means any person in receipt  
25 of a retirement allowance or other benefit provided by this chapter  
26 resulting from service rendered to an employer by another person.

27 (6)(a) "Child" or "children" means an unmarried person who is  
28 under the age of eighteen or mentally or physically disabled as  
29 determined by the department, except a person who is disabled and in  
30 the full time care of a state institution, who is:

31 (i) A natural born child;

32 (ii) A stepchild where that relationship was in existence prior  
33 to the date benefits are payable under this chapter;

34 (iii) A posthumous child;

35 (iv) A child legally adopted or made a legal ward of a member  
36 prior to the date benefits are payable under this chapter; or

37 (v) An illegitimate child legitimized prior to the date any  
38 benefits are payable under this chapter.

39 (b) A person shall also be deemed to be a child up to and  
40 including the age of twenty years and eleven months while attending

1 any high school, college, or vocational or other educational  
2 institution accredited, licensed, or approved by the state, in which  
3 it is located, including the summer vacation months and all other  
4 normal and regular vacation periods at the particular educational  
5 institution after which the child returns to school.

6 (7) "Department" means the department of retirement systems  
7 created in chapter 41.50 RCW.

8 (8) "Director" means the director of the department.

9 (9) "Disability board" for plan 1 members means either the county  
10 disability board or the city disability board established in RCW  
11 41.26.110.

12 (10) "Disability leave" means the period of six months or any  
13 portion thereof during which a member is on leave at an allowance  
14 equal to the member's full salary prior to the commencement of  
15 disability retirement. The definition contained in this subsection  
16 shall apply only to plan 1 members.

17 (11) "Disability retirement" for plan 1 members, means the period  
18 following termination of a member's disability leave, during which  
19 the member is in receipt of a disability retirement allowance.

20 (12) "Domestic partners" means two adults who have registered as  
21 domestic partners under RCW 26.60.020.

22 (13) "Employee" means any law enforcement officer or firefighter  
23 as defined in subsections (17) and (19) of this section.

24 (14)(a) "Employer" for plan 1 members, means the legislative  
25 authority of any city, town, county, district, or regional fire  
26 protection service authority or the elected officials of any  
27 municipal corporation that employs any law enforcement officer and/or  
28 firefighter, any authorized association of such municipalities, and,  
29 except for the purposes of RCW 41.26.150, any labor guild,  
30 association, or organization, which represents the firefighters or  
31 law enforcement officers of at least seven cities of over 20,000  
32 population and the membership of each local lodge or division of  
33 which is composed of at least sixty percent law enforcement officers  
34 or firefighters as defined in this chapter.

35 (b) "Employer" for plan 2 members, means the following entities  
36 to the extent that the entity employs any law enforcement officer  
37 and/or firefighter:

38 (i) The legislative authority of any city, town, county,  
39 district, public corporation, or regional fire protection service

1 authority established under RCW 35.21.730 to provide emergency  
2 medical services as defined in RCW 18.73.030;

3 (ii) The elected officials of any municipal corporation;

4 (iii) The governing body of any other general authority law  
5 enforcement agency;

6 (iv) A four-year institution of higher education having a fully  
7 operational fire department as of January 1, 1996; or

8 (v) The department of social and health services or the  
9 department of corrections when employing firefighters serving at a  
10 prison or civil commitment center on an island.

11 (c) Except as otherwise specifically provided in this chapter,  
12 "employer" does not include a government contractor. For purposes of  
13 this subsection, a "government contractor" is any entity, including a  
14 partnership, limited liability company, for-profit or nonprofit  
15 corporation, or person, that provides services pursuant to a contract  
16 with an "employer." The determination whether an employer-employee  
17 relationship has been established is not based on the relationship  
18 between a government contractor and an "employer," but is based  
19 solely on the relationship between a government contractor's employee  
20 and an "employer" under this chapter.

21 (15)(a) "Final average salary" for plan 1 members, means (i) for  
22 a member holding the same position or rank for a minimum of twelve  
23 months preceding the date of retirement, the basic salary attached to  
24 such same position or rank at time of retirement; (ii) for any other  
25 member, including a civil service member who has not served a minimum  
26 of twelve months in the same position or rank preceding the date of  
27 retirement, the average of the greatest basic salaries payable to  
28 such member during any consecutive twenty-four month period within  
29 such member's last ten years of service for which service credit is  
30 allowed, computed by dividing the total basic salaries payable to  
31 such member during the selected twenty-four month period by twenty-  
32 four; (iii) in the case of disability of any member, the basic salary  
33 payable to such member at the time of disability retirement; (iv) in  
34 the case of a member who hereafter vests pursuant to RCW 41.26.090,  
35 the basic salary payable to such member at the time of vesting.

36 (b) "Final average salary" for plan 2 members, means the monthly  
37 average of the member's basic salary for the highest consecutive  
38 sixty service credit months of service prior to such member's  
39 retirement, termination, or death. Periods constituting authorized

1 unpaid leaves of absence may not be used in the calculation of final  
2 average salary.

3 (c) In calculating final average salary under (a) or (b) of this  
4 subsection, the department of retirement systems shall include:

5 (i) Any compensation forgone by a member employed by a state  
6 agency or institution during the 2009-2011 fiscal biennium as a  
7 result of reduced work hours, mandatory or voluntary leave without  
8 pay, temporary reduction in pay implemented prior to December 11,  
9 2010, or temporary layoffs if the reduced compensation is an integral  
10 part of the employer's expenditure reduction efforts, as certified by  
11 the employer;

12 (ii) Any compensation forgone by a member employed by the state  
13 or a local government employer during the 2011-2013 fiscal biennium  
14 as a result of reduced work hours, mandatory leave without pay,  
15 temporary layoffs, or reductions to current pay if the reduced  
16 compensation is an integral part of the employer's expenditure  
17 reduction efforts, as certified by the employer. Reductions to  
18 current pay shall not include elimination of previously agreed upon  
19 future salary increases; and

20 (iii) Any compensation forgone by a member employed by the state  
21 or a local government employer during the 2019-2021 and 2021-2023  
22 fiscal biennia as a result of reduced work hours, mandatory leave  
23 without pay, temporary layoffs, furloughs, reductions to current pay,  
24 or other similar measures resulting from the COVID-19 budgetary  
25 crisis, if the reduced compensation is an integral part of the  
26 employer's expenditure reduction efforts, as certified by the  
27 employer. Reductions to current pay shall not include elimination of  
28 previously agreed upon future salary increases.

29 (16) "Fire department" includes a fire station operated by the  
30 department of social and health services or the department of  
31 corrections when employing firefighters serving a prison or civil  
32 commitment center on an island.

33 (17) "Firefighter" means:

34 (a) Any person who is serving on a full time, fully compensated  
35 basis as a member of a fire department of an employer and who is  
36 serving in a position which requires passing a civil service  
37 examination for firefighter, and who is actively employed as such;

38 (b) Anyone who is actively employed as a full time firefighter  
39 where the fire department does not have a civil service examination;

40 (c) Supervisory firefighter personnel;



1 (d) Any full time executive secretary of an association of fire  
2 protection districts authorized under RCW 52.12.031. The provisions  
3 of this subsection (17)(d) shall not apply to plan 2 members;

4 (e) The executive secretary of a labor guild, association or  
5 organization (which is an employer under subsection (14) of this  
6 section), if such individual has five years previous membership in a  
7 retirement system established in chapter 41.16 or 41.18 RCW. The  
8 provisions of this subsection (17)(e) shall not apply to plan 2  
9 members;

10 (f) Any person who is serving on a full time, fully compensated  
11 basis for an employer, as a fire dispatcher, in a department in  
12 which, on March 1, 1970, a dispatcher was required to have passed a  
13 civil service examination for firefighter;

14 (g) Any person who on March 1, 1970, was employed on a full time,  
15 fully compensated basis by an employer, and who on May 21, 1971, was  
16 making retirement contributions under the provisions of chapter 41.16  
17 or 41.18 RCW; and

18 (h) Any person who is employed on a full-time, fully compensated  
19 basis by an employer as an emergency medical technician that meets  
20 the requirements of RCW 18.71.200 or 18.73.030(~~((12))~~) (13), and  
21 whose duties include providing emergency medical services as defined  
22 in RCW 18.73.030.

23 (18) "General authority law enforcement agency" means any agency,  
24 department, or division of a municipal corporation, political  
25 subdivision, or other unit of local government of this state, and any  
26 agency, department, or division of state government, having as its  
27 primary function the detection and apprehension of persons committing  
28 infractions or violating the traffic or criminal laws in general, but  
29 not including the Washington state patrol. Such an agency,  
30 department, or division is distinguished from a limited authority law  
31 enforcement agency having as one of its functions the apprehension or  
32 detection of persons committing infractions or violating the traffic  
33 or criminal laws relating to limited subject areas, including but not  
34 limited to, the state departments of natural resources and social and  
35 health services, the state gambling commission, the state lottery  
36 commission, the state parks and recreation commission, the state  
37 utilities and transportation commission, the state liquor and  
38 cannabis board, and the state department of corrections. A general  
39 authority law enforcement agency under this chapter does not include  
40 a government contractor.

1 (19) "Law enforcement officer" beginning January 1, 1994, means  
2 any person who is commissioned and employed by an employer on a full  
3 time, fully compensated basis to enforce the criminal laws of the  
4 state of Washington generally, with the following qualifications:

5 (a) No person who is serving in a position that is basically  
6 clerical or secretarial in nature, and who is not commissioned shall  
7 be considered a law enforcement officer;

8 (b) Only those deputy sheriffs, including those serving under a  
9 different title pursuant to county charter, who have successfully  
10 completed a civil service examination for deputy sheriff or the  
11 equivalent position, where a different title is used, and those  
12 persons serving in unclassified positions authorized by RCW 41.14.070  
13 except a private secretary will be considered law enforcement  
14 officers;

15 (c) Only such full time commissioned law enforcement personnel as  
16 have been appointed to offices, positions, or ranks in the police  
17 department which have been specifically created or otherwise  
18 expressly provided for and designated by city charter provision or by  
19 ordinance enacted by the legislative body of the city shall be  
20 considered city police officers. The requirement that the  
21 commissioned law enforcement personnel be full time does not apply to  
22 the extent allowed under (f) of this subsection;

23 (d) The term "law enforcement officer" also includes the  
24 executive secretary of a labor guild, association or organization  
25 (which is an employer under subsection (14) of this section) if that  
26 individual has five years previous membership in the retirement  
27 system established in chapter 41.20 RCW. The provisions of this  
28 subsection (19)(d) shall not apply to plan 2 members; (~~and~~)

29 (e) The term "law enforcement officer" also includes a person  
30 employed on or after January 1, 1993, as a public safety officer or  
31 director of public safety, so long as the job duties substantially  
32 involve only either police or fire duties, or both, and no other  
33 duties in a city or town with a population of less than ten thousand.  
34 The provisions of this subsection (19)(e) shall not apply to any  
35 public safety officer or director of public safety who is receiving a  
36 retirement allowance under this chapter as of May 12, 1993; and

37 (f) Beginning July 1, 2023, the term "law enforcement officer"  
38 also includes any person who is commissioned and employed by an  
39 employer on a fully compensated basis to enforce the criminal laws of

1 the state of Washington generally, on a less than full-time basis,  
2 with the qualifications in (a) through (e) of this subsection.

3 (20) "Medical services" for plan 1 members, shall include the  
4 following as minimum services to be provided. Reasonable charges for  
5 these services shall be paid in accordance with RCW 41.26.150.

6 (a) Hospital expenses: These are the charges made by a hospital,  
7 in its own behalf, for

8 (i) Board and room not to exceed semiprivate room rate unless  
9 private room is required by the attending physician due to the  
10 condition of the patient.

11 (ii) Necessary hospital services, other than board and room,  
12 furnished by the hospital.

13 (b) Other medical expenses: The following charges are considered  
14 "other medical expenses," provided that they have not been considered  
15 as "hospital expenses".

16 (i) The fees of the following:

17 (A) A physician or surgeon licensed under the provisions of  
18 chapter 18.71 RCW;

19 (B) An osteopathic physician and surgeon licensed under the  
20 provisions of chapter 18.57 RCW;

21 (C) A chiropractor licensed under the provisions of chapter 18.25  
22 RCW.

23 (ii) The charges of a registered graduate nurse other than a  
24 nurse who ordinarily resides in the member's home, or is a member of  
25 the family of either the member or the member's spouse.

26 (iii) The charges for the following medical services and  
27 supplies:

28 (A) Drugs and medicines upon a physician's prescription;

29 (B) Diagnostic X-ray and laboratory examinations;

30 (C) X-ray, radium, and radioactive isotopes therapy;

31 (D) Anesthesia and oxygen;

32 (E) Rental of iron lung and other durable medical and surgical  
33 equipment;

34 (F) Artificial limbs and eyes, and casts, splints, and trusses;

35 (G) Professional ambulance service when used to transport the  
36 member to or from a hospital when injured by an accident or stricken  
37 by a disease;

38 (H) Dental charges incurred by a member who sustains an  
39 accidental injury to his or her teeth and who commences treatment by  
40 a legally licensed dentist within ninety days after the accident;

1 (I) Nursing home confinement or hospital extended care facility;  
2 (J) Physical therapy by a registered physical therapist;  
3 (K) Blood transfusions, including the cost of blood and blood  
4 plasma not replaced by voluntary donors;  
5 (L) An optometrist licensed under the provisions of chapter 18.53  
6 RCW.

7 (21) "Member" means any firefighter, law enforcement officer, or  
8 other person as would apply under subsection (17) or (19) of this  
9 section whose membership is transferred to the Washington law  
10 enforcement officers' and firefighters' retirement system on or after  
11 March 1, 1970, and every law enforcement officer and firefighter who  
12 is employed in that capacity on or after such date.

13 (22) "Plan 1" means the law enforcement officers' and  
14 firefighters' retirement system, plan 1 providing the benefits and  
15 funding provisions covering persons who first became members of the  
16 system prior to October 1, 1977.

17 (23) "Plan 2" means the law enforcement officers' and  
18 firefighters' retirement system, plan 2 providing the benefits and  
19 funding provisions covering persons who first became members of the  
20 system on and after October 1, 1977.

21 (24) "Position" means the employment held at any particular time,  
22 which may or may not be the same as civil service rank.

23 (25) "Regular interest" means such rate as the director may  
24 determine.

25 (26) "Retiree" for persons who establish membership in the  
26 retirement system on or after October 1, 1977, means any member in  
27 receipt of a retirement allowance or other benefit provided by this  
28 chapter resulting from service rendered to an employer by such  
29 member.

30 (27) "Retirement fund" means the "Washington law enforcement  
31 officers' and firefighters' retirement system fund" as provided for  
32 herein.

33 (28) "Retirement system" means the "Washington law enforcement  
34 officers' and firefighters' retirement system" provided herein.

35 (29)(a) "Service" for plan 1 members, means all periods of  
36 employment for an employer as a firefighter or law enforcement  
37 officer, for which compensation is paid, together with periods of  
38 suspension not exceeding thirty days in duration. For the purposes of  
39 this chapter service shall also include service in the armed forces  
40 of the United States as provided in RCW 41.26.190. Credit shall be

1 allowed for all service credit months of service rendered by a member  
2 from and after the member's initial commencement of employment as a  
3 firefighter or law enforcement officer, during which the member  
4 worked for seventy or more hours, or was on disability leave or  
5 disability retirement. Only service credit months of service shall be  
6 counted in the computation of any retirement allowance or other  
7 benefit provided for in this chapter.

8 (i) For members retiring after May 21, 1971 who were employed  
9 under the coverage of a prior pension act before March 1, 1970,  
10 "service" shall also include (A) such military service not exceeding  
11 five years as was creditable to the member as of March 1, 1970, under  
12 the member's particular prior pension act, and (B) such other periods  
13 of service as were then creditable to a particular member under the  
14 provisions of RCW 41.18.165, 41.20.160, or 41.20.170. However, in no  
15 event shall credit be allowed for any service rendered prior to March  
16 1, 1970, where the member at the time of rendition of such service  
17 was employed in a position covered by a prior pension act, unless  
18 such service, at the time credit is claimed therefor, is also  
19 creditable under the provisions of such prior act.

20 (ii) A member who is employed by two employers at the same time  
21 shall only be credited with service to one such employer for any  
22 month during which the member rendered such dual service.

23 (iii) Reduction efforts such as furloughs, reduced work hours,  
24 mandatory leave without pay, temporary layoffs, or other similar  
25 situations as contemplated by subsection (15)(c)(iii) of this section  
26 do not result in a reduction in service credit that otherwise would  
27 have been earned for that month of work, and the member shall receive  
28 the full service credit for the hours that were scheduled to be  
29 worked before the reduction.

30 (b)(i) "Service" for plan 2 members, means periods of employment  
31 by a member for one or more employers for which basic salary is  
32 earned for ninety or more hours per calendar month which shall  
33 constitute a service credit month. Periods of employment by a member  
34 for one or more employers for which basic salary is earned for at  
35 least seventy hours but less than ninety hours per calendar month  
36 shall constitute one-half service credit month. Periods of employment  
37 by a member for one or more employers for which basic salary is  
38 earned for less than seventy hours shall constitute a one-quarter  
39 service credit month.

1 (ii) Members of the retirement system who are elected or  
2 appointed to a state elective position may elect to continue to be  
3 members of this retirement system.

4 (iii) Service credit years of service shall be determined by  
5 dividing the total number of service credit months of service by  
6 twelve. Any fraction of a service credit year of service as so  
7 determined shall be taken into account in the computation of such  
8 retirement allowance or benefits.

9 (iv) If a member receives basic salary from two or more employers  
10 during any calendar month, the individual shall receive one service  
11 credit month's service credit during any calendar month in which  
12 multiple service for ninety or more hours is rendered; or one-half  
13 service credit month's service credit during any calendar month in  
14 which multiple service for at least seventy hours but less than  
15 ninety hours is rendered; or one-quarter service credit month during  
16 any calendar month in which multiple service for less than seventy  
17 hours is rendered.

18 (v) Reduction efforts such as furloughs, reduced work hours,  
19 mandatory leave without pay, temporary layoffs, or other similar  
20 situations as contemplated by subsection (15)(c)(iii) of this section  
21 do not result in a reduction in service credit that otherwise would  
22 have been earned for that month of work, and the member shall receive  
23 the full service credit for the hours that were scheduled to be  
24 worked before the reduction.

25 (30) "Service credit month" means a full service credit month or  
26 an accumulation of partial service credit months that are equal to  
27 one.

28 (31) "Service credit year" means an accumulation of months of  
29 service credit which is equal to one when divided by twelve.

30 (32) "State actuary" or "actuary" means the person appointed  
31 pursuant to RCW 44.44.010(2).

32 (33) "State elective position" means any position held by any  
33 person elected or appointed to statewide office or elected or  
34 appointed as a member of the legislature.

35 (34) "Surviving spouse" means the surviving widow or widower of a  
36 member. "Surviving spouse" shall not include the divorced spouse of a  
37 member except as provided in RCW 41.26.162."

38 Correct the title.

EFFECT: Clarifies that the requirement that a city police officer participating in LEOFF be "full time" does not apply to the extent allowed by the bill.

--- END ---