

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5424**

68th Legislature  
2024 Regular Session

Passed by the Senate March 4, 2024  
Yeas 48 Nays 0

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**President of the Senate**

Passed by the House February 28, 2024  
Yeas 96 Nays 0

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**Speaker of the House of  
Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5424** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 5424**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

**State of Washington                      68th Legislature                      2023 Regular Session**

**By** Senate Labor & Commerce (originally sponsored by Senators Lovick, Holy, Dhingra, Frame, Keiser, Kuderer, Shewmake, Stanford, Valdez, Warnick, and Wellman)

READ FIRST TIME 02/01/23.

1            AN ACT Relating to flexible work for general and limited  
2 authority Washington peace officers; amending RCW 41.26.030,  
3 41.26.030, and 43.101.010; reenacting and amending RCW 10.93.020;  
4 adding a new section to chapter 49.28 RCW; providing an effective  
5 date; and providing an expiration date.

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

7            NEW SECTION.    **Sec. 1.** A new section is added to chapter 49.28  
8 RCW to read as follows:

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

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

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

4 (4) This section does not alter any existing collective  
5 bargaining unit, the provisions of any existing collective bargaining  
6 agreement, or the duty of a law enforcement agency to meet their duty  
7 to bargain under chapter 41.56 or 41.80 RCW. Full-time and part-time  
8 officers working for the same law enforcement agency who are covered  
9 by a collective bargaining agreement must be in the same bargaining  
10 unit.

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

14 (6) For the purposes of this section, the definitions in this  
15 subsection apply.

16 (a) "General authority and limited authority Washington law  
17 enforcement agency" has the same meaning as "general authority  
18 Washington law enforcement agency" and "limited authority Washington  
19 law enforcement agency" as defined in RCW 10.93.020 (3) and (5),  
20 respectively.

21 (b) "General authority and limited authority Washington peace  
22 officers" has the same meaning as "general authority Washington peace  
23 officer" and "limited authority Washington peace officer" as defined  
24 in RCW 10.93.020 (4) and (6), respectively.

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

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

29 (1) "Agency with primary territorial jurisdiction" means a city  
30 or town police agency which has responsibility for police activity  
31 within its boundaries; or a county police or sheriff's department  
32 which has responsibility with regard to police activity in the  
33 unincorporated areas within the county boundaries; or a statutorily  
34 authorized port district police agency or four-year state college or  
35 university police agency which has responsibility for police activity  
36 within the statutorily authorized enforcement boundaries of the port  
37 district, state college, or university.

38 (2) "Federal peace officer" means any employee or agent of the  
39 United States government who has the authority to carry firearms and

1 make warrantless arrests and whose duties involve the enforcement of  
2 criminal laws of the United States.

3 (3) "General authority Washington law enforcement agency" means  
4 any agency, department, or division of a municipal corporation,  
5 political subdivision, or other unit of local government of this  
6 state, and any agency, department, or division of state government,  
7 having as its primary function the detection and apprehension of  
8 persons committing infractions or violating the traffic or criminal  
9 laws in general, as distinguished from a limited authority Washington  
10 law enforcement agency, and any other unit of government expressly  
11 designated by statute as a general authority Washington law  
12 enforcement agency. The Washington state patrol and the department of  
13 fish and wildlife are general authority Washington law enforcement  
14 agencies.

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

20 (5) "Limited authority Washington law enforcement agency" means  
21 any agency, political subdivision, or unit of local government of  
22 this state, and any agency, department, or division of state  
23 government, having as one of its functions the apprehension or  
24 detection of persons committing infractions or violating the traffic  
25 or criminal laws relating to limited subject areas, including but not  
26 limited to, the state departments of natural resources and social and  
27 health services, the state gambling commission, the state lottery  
28 commission, the state parks and recreation commission, the state  
29 utilities and transportation commission, the state liquor and  
30 cannabis board, the office of the insurance commissioner, the state  
31 department of corrections, and the office of independent  
32 investigations.

33 (6) "Limited authority Washington peace officer" means any  
34 (~~full-time,~~) fully compensated officer of a limited authority  
35 Washington law enforcement agency empowered by that agency to detect  
36 or apprehend violators of the laws in some or all of the limited  
37 subject areas for which that agency is responsible. A limited  
38 authority Washington peace officer may be a specially commissioned  
39 Washington peace officer if otherwise qualified for such status under  
40 this chapter.

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

5 (8) "Primary commissioning agency" means (a) the employing agency  
6 in the case of a general authority Washington peace officer, a  
7 limited authority Washington peace officer, a tribal peace officer  
8 from a federally recognized tribe, or a federal peace officer, and  
9 (b) the commissioning agency in the case of a specially commissioned  
10 Washington peace officer (i) who is performing functions within the  
11 course and scope of the special commission and (ii) who is not also a  
12 general authority Washington peace officer, a limited authority  
13 Washington peace officer, a tribal peace officer from a federally  
14 recognized tribe, or a federal peace officer.

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

17 (10) "Reserve officer" means any person who does not serve as a  
18 regularly employed, fully compensated peace officer of this state,  
19 but who, when called by an agency into active service, is fully  
20 commissioned on the same basis as regularly employed, fully  
21 compensated officers to enforce the criminal laws of this state.

22 (11) "Specially commissioned Washington peace officer," for the  
23 purposes of this chapter, means any officer, whether part-time or  
24 full-time, compensated or not, commissioned by a general authority  
25 Washington law enforcement agency to enforce some or all of the  
26 criminal laws of the state of Washington, who does not qualify under  
27 this chapter as a general authority Washington peace officer for that  
28 commissioning agency, specifically including reserve peace officers,  
29 and specially commissioned full-time, fully compensated peace  
30 officers duly commissioned by the states of Oregon or Idaho or any  
31 such peace officer commissioned by a unit of local government of  
32 Oregon or Idaho. ((A reserve peace officer is an individual who is an  
33 officer of a Washington law enforcement agency who does not serve  
34 such agency on a full-time basis but who, when called by the agency  
35 into active service, is fully commissioned on the same basis as full-  
36 time peace officers to enforce the criminal laws of the state.))

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

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

3 (1) "Accumulated contributions" means the employee's  
4 contributions made by a member, including any amount paid under RCW  
5 41.50.165(2), plus accrued interest credited thereon.

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

11 (3) "Actuarial valuation" means a mathematical determination of  
12 the financial condition of a retirement plan. It includes the  
13 computation of the present monetary value of benefits payable to  
14 present members, and the present monetary value of future employer  
15 and employee contributions, giving effect to mortality among active  
16 and retired members and also to the rates of disability, retirement,  
17 withdrawal from service, salary and interest earned on investments.

18 (4) (a) "Basic salary" for plan 1 members, means the basic monthly  
19 rate of salary or wages, including longevity pay but not including  
20 overtime earnings or special salary or wages, upon which pension or  
21 retirement benefits will be computed and upon which employer  
22 contributions and salary deductions will be based.

23 (b) "Basic salary" for plan 2 members, means salaries or wages  
24 earned by a member during a payroll period for personal services,  
25 including overtime payments, and shall include wages and salaries  
26 deferred under provisions established pursuant to sections 403(b),  
27 414(h), and 457 of the United States Internal Revenue Code, but shall  
28 exclude lump sum payments for deferred annual sick leave, unused  
29 accumulated vacation, unused accumulated annual leave, or any form of  
30 severance pay. In any year in which a member serves in the  
31 legislature the member shall have the option of having such member's  
32 basic salary be the greater of:

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

35 (ii) Such member's actual basic salary received for  
36 nonlegislative public employment and legislative service combined.  
37 Any additional contributions to the retirement system required  
38 because basic salary under (b) (i) of this subsection is greater than  
39 basic salary under (b) (ii) of this subsection shall be paid by the  
40 member for both member and employer contributions.

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

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

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

11 (i) A natural born child;

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

14 (iii) A posthumous child;

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

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

19 (b) A person shall also be deemed to be a child up to and  
20 including the age of twenty years and eleven months while attending  
21 any high school, college, or vocational or other educational  
22 institution accredited, licensed, or approved by the state, in which  
23 it is located, including the summer vacation months and all other  
24 normal and regular vacation periods at the particular educational  
25 institution after which the child returns to school.

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

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

29 (9) "Disability board" for plan 1 members means either the county  
30 disability board or the city disability board established in RCW  
31 41.26.110.

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

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

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

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

5 (14)(a) "Employer" for plan 1 members, means the legislative  
6 authority of any city, town, county, district, or regional fire  
7 protection service authority or the elected officials of any  
8 municipal corporation that employs any law enforcement officer and/or  
9 firefighter, any authorized association of such municipalities, and,  
10 except for the purposes of RCW 41.26.150, any labor guild,  
11 association, or organization, which represents the firefighters or  
12 law enforcement officers of at least seven cities of over 20,000  
13 population and the membership of each local lodge or division of  
14 which is composed of at least sixty percent law enforcement officers  
15 or firefighters as defined in this chapter.

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

19 (i) The legislative authority of any city, town, county,  
20 district, public corporation, or regional fire protection service  
21 authority established under RCW 35.21.730 to provide emergency  
22 medical services as defined in RCW 18.73.030;

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

24 (iii) The governing body of any other general authority law  
25 enforcement agency;

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

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

31 (c) Except as otherwise specifically provided in this chapter,  
32 "employer" does not include a government contractor. For purposes of  
33 this subsection, a "government contractor" is any entity, including a  
34 partnership, limited liability company, for-profit or nonprofit  
35 corporation, or person, that provides services pursuant to a contract  
36 with an "employer." The determination whether an employer-employee  
37 relationship has been established is not based on the relationship  
38 between a government contractor and an "employer," but is based  
39 solely on the relationship between a government contractor's employee  
40 and an "employer" under this chapter.



1 (15)(a) "Final average salary" for plan 1 members, means (i) for  
2 a member holding the same position or rank for a minimum of twelve  
3 months preceding the date of retirement, the basic salary attached to  
4 such same position or rank at time of retirement; (ii) for any other  
5 member, including a civil service member who has not served a minimum  
6 of twelve months in the same position or rank preceding the date of  
7 retirement, the average of the greatest basic salaries payable to  
8 such member during any consecutive twenty-four month period within  
9 such member's last ten years of service for which service credit is  
10 allowed, computed by dividing the total basic salaries payable to  
11 such member during the selected twenty-four month period by twenty-  
12 four; (iii) in the case of disability of any member, the basic salary  
13 payable to such member at the time of disability retirement; (iv) in  
14 the case of a member who hereafter vests pursuant to RCW 41.26.090,  
15 the basic salary payable to such member at the time of vesting.

16 (b) "Final average salary" for plan 2 members, means the monthly  
17 average of the member's basic salary for the highest consecutive  
18 sixty service credit months of service prior to such member's  
19 retirement, termination, or death. Periods constituting authorized  
20 unpaid leaves of absence may not be used in the calculation of final  
21 average salary.

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

24 (i) Any compensation forgone by a member employed by a state  
25 agency or institution during the 2009-2011 fiscal biennium as a  
26 result of reduced work hours, mandatory or voluntary leave without  
27 pay, temporary reduction in pay implemented prior to December 11,  
28 2010, or temporary layoffs if the reduced compensation is an integral  
29 part of the employer's expenditure reduction efforts, as certified by  
30 the employer;

31 (ii) Any compensation forgone by a member employed by the state  
32 or a local government employer during the 2011-2013 fiscal biennium  
33 as a result of reduced work hours, mandatory leave without pay,  
34 temporary layoffs, or reductions to current pay if the reduced  
35 compensation is an integral part of the employer's expenditure  
36 reduction efforts, as certified by the employer. Reductions to  
37 current pay shall not include elimination of previously agreed upon  
38 future salary increases; and

39 (iii) Any compensation forgone by a member employed by the state  
40 or a local government employer during the 2019-2021 and 2021-2023

1 fiscal biennia as a result of reduced work hours, mandatory leave  
2 without pay, temporary layoffs, furloughs, reductions to current pay,  
3 or other similar measures resulting from the COVID-19 budgetary  
4 crisis, if the reduced compensation is an integral part of the  
5 employer's expenditure reduction efforts, as certified by the  
6 employer. Reductions to current pay shall not include elimination of  
7 previously agreed upon future salary increases.

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

12 (17) "Firefighter" means:

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

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

19 (c) Supervisory firefighter personnel;

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

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

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

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

37 (h) Any person who is employed on a full-time, fully compensated  
38 basis by an employer as an emergency medical technician that meets  
39 the requirements of RCW 18.71.200 or 18.73.030(~~((+12+))~~) (13), and

1 whose duties include providing emergency medical services as defined  
2 in RCW 18.73.030.

3 (18) "General authority law enforcement agency" means any agency,  
4 department, or division of a municipal corporation, political  
5 subdivision, or other unit of local government of this state, and any  
6 agency, department, or division of state government, having as its  
7 primary function the detection and apprehension of persons committing  
8 infractions or violating the traffic or criminal laws in general, but  
9 not including the Washington state patrol. Such an agency,  
10 department, or division is distinguished from a limited authority law  
11 enforcement agency having as one of its functions the apprehension or  
12 detection of persons committing infractions or violating the traffic  
13 or criminal laws relating to limited subject areas, including but not  
14 limited to, the state departments of natural resources and social and  
15 health services, the state gambling commission, the state lottery  
16 commission, the state parks and recreation commission, the state  
17 utilities and transportation commission, the state liquor and  
18 cannabis board, and the state department of corrections. A general  
19 authority law enforcement agency under this chapter does not include  
20 a government contractor.

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

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

28 (b) Only those deputy sheriffs, including those serving under a  
29 different title pursuant to county charter, who have successfully  
30 completed a civil service examination for deputy sheriff or the  
31 equivalent position, where a different title is used, and those  
32 persons serving in unclassified positions authorized by RCW 41.14.070  
33 except a private secretary will be considered law enforcement  
34 officers;

35 (c) Only such full time commissioned law enforcement personnel as  
36 have been appointed to offices, positions, or ranks in the police  
37 department which have been specifically created or otherwise  
38 expressly provided for and designated by city charter provision or by  
39 ordinance enacted by the legislative body of the city shall be  
40 considered city police officers;

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

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

15 (f) Beginning July 1, 2024, the term "law enforcement officer"  
16 also includes any person who is commissioned and employed by an  
17 employer on a fully compensated basis to enforce the criminal laws of  
18 the state of Washington generally, on a less than full-time basis,  
19 with the qualifications in (a) through (e) of this subsection.

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

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

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

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

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

33 (i) The fees of the following:

34 (A) A physician or surgeon licensed under the provisions of  
35 chapter 18.71 RCW;

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

38 (C) A chiropractor licensed under the provisions of chapter 18.25  
39 RCW.

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

4 (iii) The charges for the following medical services and  
5 supplies:

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

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

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

9 (D) Anesthesia and oxygen;

10 (E) Rental of iron lung and other durable medical and surgical  
11 equipment;

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

13 (G) Professional ambulance service when used to transport the  
14 member to or from a hospital when injured by an accident or stricken  
15 by a disease;

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

19 (I) Nursing home confinement or hospital extended care facility;

20 (J) Physical therapy by a registered physical therapist;

21 (K) Blood transfusions, including the cost of blood and blood  
22 plasma not replaced by voluntary donors;

23 (L) An optometrist licensed under the provisions of chapter 18.53  
24 RCW.

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

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

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

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

1 (25) "Regular interest" means such rate as the director may  
2 determine.

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

8 (27) "Retirement fund" means the "Washington law enforcement  
9 officers' and firefighters' retirement system fund" as provided for  
10 herein.

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

13 (29)(a) "Service" for plan 1 members, means all periods of  
14 employment for an employer as a firefighter or law enforcement  
15 officer, for which compensation is paid, together with periods of  
16 suspension not exceeding thirty days in duration. For the purposes of  
17 this chapter service shall also include service in the armed forces  
18 of the United States as provided in RCW 41.26.190. Credit shall be  
19 allowed for all service credit months of service rendered by a member  
20 from and after the member's initial commencement of employment as a  
21 firefighter or law enforcement officer, during which the member  
22 worked for seventy or more hours, or was on disability leave or  
23 disability retirement. Only service credit months of service shall be  
24 counted in the computation of any retirement allowance or other  
25 benefit provided for in this chapter.

26 (i) For members retiring after May 21, 1971 who were employed  
27 under the coverage of a prior pension act before March 1, 1970,  
28 "service" shall also include (A) such military service not exceeding  
29 five years as was creditable to the member as of March 1, 1970, under  
30 the member's particular prior pension act, and (B) such other periods  
31 of service as were then creditable to a particular member under the  
32 provisions of RCW 41.18.165, 41.20.160, or 41.20.170. However, in no  
33 event shall credit be allowed for any service rendered prior to March  
34 1, 1970, where the member at the time of rendition of such service  
35 was employed in a position covered by a prior pension act, unless  
36 such service, at the time credit is claimed therefor, is also  
37 creditable under the provisions of such prior act.

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

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

8 (b)(i) "Service" for plan 2 members, means periods of employment  
9 by a member for one or more employers for which basic salary is  
10 earned for ninety or more hours per calendar month which shall  
11 constitute a service credit month. Periods of employment by a member  
12 for one or more employers for which basic salary is earned for at  
13 least seventy hours but less than ninety hours per calendar month  
14 shall constitute one-half service credit month. Periods of employment  
15 by a member for one or more employers for which basic salary is  
16 earned for less than seventy hours shall constitute a one-quarter  
17 service credit month.

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

21 (iii) Service credit years of service shall be determined by  
22 dividing the total number of service credit months of service by  
23 twelve. Any fraction of a service credit year of service as so  
24 determined shall be taken into account in the computation of such  
25 retirement allowance or benefits.

26 (iv) If a member receives basic salary from two or more employers  
27 during any calendar month, the individual shall receive one service  
28 credit month's service credit during any calendar month in which  
29 multiple service for ninety or more hours is rendered; or one-half  
30 service credit month's service credit during any calendar month in  
31 which multiple service for at least seventy hours but less than  
32 ninety hours is rendered; or one-quarter service credit month during  
33 any calendar month in which multiple service for less than seventy  
34 hours is rendered.

35 (v) Reduction efforts such as furloughs, reduced work hours,  
36 mandatory leave without pay, temporary layoffs, or other similar  
37 situations as contemplated by subsection (15)(c)(iii) of this section  
38 do not result in a reduction in service credit that otherwise would  
39 have been earned for that month of work, and the member shall receive

1 the full service credit for the hours that were scheduled to be  
2 worked before the reduction.

3 (30) "Service credit month" means a full service credit month or  
4 an accumulation of partial service credit months that are equal to  
5 one.

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

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

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

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

16 **Sec. 4.** RCW 41.26.030 and 2023 c 77 s 1 are each amended to read  
17 as follows:

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

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

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

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

35 (4) (a) "Basic salary" for plan 1 members, means the basic monthly  
36 rate of salary or wages, including longevity pay but not including  
37 overtime earnings or special salary or wages, upon which pension or  
38 retirement benefits will be computed and upon which employer  
39 contributions and salary deductions will be based.



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

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

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

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

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

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

29 (i) A natural born child;

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

32 (iii) A posthumous child;

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

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

37 (b) A person shall also be deemed to be a child up to and  
38 including the age of twenty years and eleven months while attending  
39 any high school, college, or vocational or other educational  
40 institution accredited, licensed, or approved by the state, in which

1 it is located, including the summer vacation months and all other  
2 normal and regular vacation periods at the particular educational  
3 institution after which the child returns to school.

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

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

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

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

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

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

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

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

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

36 (i) The legislative authority of any city, town, county,  
37 district, public corporation, or regional fire protection service  
38 authority established under RCW 35.21.730 to provide emergency  
39 medical services as defined in RCW 18.73.030;

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

1 (iii) The governing body of any other general authority law  
2 enforcement agency;

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

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

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

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

33 (b) "Final average salary" for plan 2 members, means the monthly  
34 average of the member's basic salary for the highest consecutive  
35 sixty service credit months of service prior to such member's  
36 retirement, termination, or death. Periods constituting authorized  
37 unpaid leaves of absence may not be used in the calculation of final  
38 average salary.

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

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

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

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

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

29 (17) "Firefighter" means:

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

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

36 (c) Supervisory firefighter personnel;

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

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

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

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

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

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

39 (19) "Law enforcement officer" beginning January 1, 1994, means  
40 any person who is commissioned and employed by an employer on a full

1 time, fully compensated basis to enforce the criminal laws of the  
2 state of Washington generally, with the following qualifications:

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

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

13 (c) Only such full time commissioned law enforcement personnel as  
14 have been appointed to offices, positions, or ranks in the police  
15 department which have been specifically created or otherwise  
16 expressly provided for and designated by city charter provision or by  
17 ordinance enacted by the legislative body of the city shall be  
18 considered city police officers;

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

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

33 (f) The term "law enforcement officer" also includes a person who  
34 is employed on or after January 1, 2024, on a full-time basis by the  
35 government of a federally recognized tribe within the state of  
36 Washington that meets the terms and conditions of RCW 41.26.565, is  
37 employed in a police department maintained by that tribe, and who is  
38 currently certified as a general authority peace officer under  
39 chapter 43.101 RCW; and

1       (g) Beginning July 1, 2024, the term "law enforcement officer"  
2 also includes any person who is commissioned and employed by an  
3 employer on a fully compensated basis to enforce the criminal laws of  
4 the state of Washington generally, on a less than full-time basis,  
5 with the qualifications in (a) through (e) of this subsection.

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

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

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

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

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

19       (i) The fees of the following:

20       (A) A physician or surgeon licensed under the provisions of  
21 chapter 18.71 RCW;

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

24       (C) A chiropractor licensed under the provisions of chapter 18.25  
25 RCW.

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

29       (iii) The charges for the following medical services and  
30 supplies:

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

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

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

34       (D) Anesthesia and oxygen;

35       (E) Rental of iron lung and other durable medical and surgical  
36 equipment;

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

38       (G) Professional ambulance service when used to transport the  
39 member to or from a hospital when injured by an accident or stricken  
40 by a disease;

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

4 (I) Nursing home confinement or hospital extended care facility;

5 (J) Physical therapy by a registered physical therapist;

6 (K) Blood transfusions, including the cost of blood and blood  
7 plasma not replaced by voluntary donors;

8 (L) An optometrist licensed under the provisions of chapter 18.53  
9 RCW.

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

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

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

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

26 (25) "Regular interest" means such rate as the director may  
27 determine.

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

33 (27) "Retirement fund" means the "Washington law enforcement  
34 officers' and firefighters' retirement system fund" as provided for  
35 herein.

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

38 (29)(a) "Service" for plan 1 members, means all periods of  
39 employment for an employer as a firefighter or law enforcement  
40 officer, for which compensation is paid, together with periods of



1 suspension not exceeding thirty days in duration. For the purposes of  
2 this chapter service shall also include service in the armed forces  
3 of the United States as provided in RCW 41.26.190. Credit shall be  
4 allowed for all service credit months of service rendered by a member  
5 from and after the member's initial commencement of employment as a  
6 firefighter or law enforcement officer, during which the member  
7 worked for seventy or more hours, or was on disability leave or  
8 disability retirement. Only service credit months of service shall be  
9 counted in the computation of any retirement allowance or other  
10 benefit provided for in this chapter.

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

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

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

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

1 earned for less than seventy hours shall constitute a one-quarter  
2 service credit month.

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

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

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

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

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

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

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

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

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

1       **Sec. 5.** RCW 43.101.010 and 2023 c 168 s 1 are each amended to  
2 read as follows:

3       When used in this chapter:

4       (1) "Applicant" means an individual who has received a  
5 conditional offer of employment with a law enforcement or corrections  
6 agency.

7       (2) "Chief for a day program" means a program in which  
8 commissioners and staff partner with local, state, and federal law  
9 enforcement agencies, hospitals, and the community to provide a day  
10 of special attention to chronically ill children. Each child is  
11 selected and sponsored by a law enforcement agency. The event, "chief  
12 for a day," occurs on one day, annually or every other year and may  
13 occur on the grounds and in the facilities of the commission. The  
14 program may include any appropriate honoring of the child as a  
15 "chief," such as a certificate swearing them in as a chief, a badge,  
16 a uniform, and donated gifts such as games, puzzles, and art  
17 supplies.

18       (3) "Commission" means the Washington state criminal justice  
19 training commission.

20       (4) "Convicted" means at the time a plea of guilty, nolo  
21 contendere, or deferred sentence has been accepted, or a verdict of  
22 guilty or finding of guilt has been filed, notwithstanding the  
23 pendency of any future proceedings, including but not limited to  
24 sentencing, posttrial or postfact-finding motions and appeals.  
25 "Conviction" includes all instances in which a plea of guilty or nolo  
26 contendere is the basis for conviction, all proceedings in which  
27 there is a case disposition agreement, and any equivalent disposition  
28 by a court in a jurisdiction other than the state of Washington.

29       (5) "Correctional personnel" means any employee or volunteer who  
30 by state, county, municipal, or combination thereof, statute has the  
31 responsibility for the confinement, care, management, training,  
32 treatment, education, supervision, or counseling of those individuals  
33 whose civil rights have been limited in some way by legal sanction.

34       (6) "Corrections officer" means any corrections agency employee  
35 whose primary job function is to provide for the custody, safety, and  
36 security of adult persons in jails and detention facilities in the  
37 state. "Corrections officer" does not include individuals employed by  
38 state agencies.

39       (7) "Criminal justice personnel" means any person who serves as a  
40 peace officer, reserve officer, or corrections officer.

1 (8) "Finding" means a determination based on a preponderance of  
2 the evidence whether alleged misconduct occurred; did not occur;  
3 occurred, but was consistent with law and policy; or could neither be  
4 proven or disproven.

5 (9) "Law enforcement personnel" means any person elected,  
6 appointed, or employed as a general authority Washington peace  
7 officer as defined in RCW 10.93.020 or as a limited authority  
8 Washington peace officer as defined in RCW 10.93.020 who as a normal  
9 part of their duties has powers of arrest and carries a firearm. For  
10 the purposes of this chapter, "law enforcement personnel" does not  
11 include individuals employed by the department of corrections.

12 (10) "Peace officer" has the same meaning as a general authority  
13 Washington peace officer as defined in RCW 10.93.020. Commissioned  
14 officers of the Washington state patrol, whether they have been or  
15 may be exempted by rule of the commission from the basic training  
16 requirement of RCW 43.101.200, are included as peace officers for  
17 purposes of this chapter. Fish and wildlife officers with enforcement  
18 powers for all criminal laws under RCW 77.15.075 are peace officers  
19 for purposes of this chapter. Limited authority Washington peace  
20 officers as defined in RCW 10.93.020, who have powers of arrest and  
21 carry a firearm as part of their normal duty, are peace officers for  
22 purposes of this chapter. For the purposes of this chapter, "peace  
23 officer" does not include individuals employed by the department of  
24 corrections.

25 (11) ~~"Reserve officer" ((means any person who does not serve as a~~  
26 ~~peace officer of this state on a full-time basis, but who, when~~  
27 ~~called by an agency into active service, is fully commissioned on the~~  
28 ~~same basis as full-time officers to enforce the criminal laws of this~~  
29 ~~state and includes:~~

30 ~~(a)) has the same meaning as provided in RCW 10.93.020.~~

31 (12) "Specially commissioned Washington peace officer((s—as  
32 defined))" has the same meaning as provided in RCW 10.93.020((~~+~~

33 ~~(b) Persons employed as security by public institutions of higher~~  
34 ~~education as defined in RCW 28B.10.016; and~~

35 ~~(c) Persons employed for the purpose of providing security in the~~  
36 ~~K-12 Washington state public school system as defined in RCW~~  
37 ~~28A.150.010 and who are authorized to use force in fulfilling their~~  
38 ~~responsibilities)).~~

1        (~~(12)~~) (13) "Tribal police officer" means any person employed  
2 and commissioned by a tribal government to enforce the criminal laws  
3 of that government.

4        NEW SECTION.    **Sec. 6.**    Section 3 of this act expires July 1,  
5 2025.

6        NEW SECTION.    **Sec. 7.**    Section 4 of this act takes effect July 1,  
7 2025.

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