
HOUSE BILL 1723

State of Washington

53rd Legislature

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By Representatives Jones, Jacobsen, Valle, Dellwo, Basich, H. Myers, Appelwick, Dorn, G. Fisher, Leonard, Veloria, Peery, Linville, Wineberry, Lemmon, Sehlin, Campbell, Holm, Quall, Rayburn, Roland, Kremen and J. Kohl

Read first time 02/05/93. Referred to Committee on Appropriations.

1 AN ACT Relating to military service credit; and amending RCW
2 41.40.710.

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

4 **Sec. 1.** RCW 41.40.710 and 1992 c 119 s 3 are each amended to read
5 as follows:

6 (1) A member who is on a paid leave of absence authorized by a
7 member's employer shall continue to receive service credit as provided
8 for under the provisions of RCW 41.40.610 through 41.40.740.

9 (2) Except as specified in subsection (3) of this section, a member
10 shall be eligible to receive a maximum of two years service credit
11 during a member's entire working career for those periods when a member
12 is on an unpaid leave of absence authorized by an employer. Such
13 credit may be obtained only if the member makes both the plan II
14 employer and member contributions plus interest as determined by the
15 department for the period of the authorized leave of absence within
16 five years of resumption of service or prior to retirement whichever
17 comes sooner. The contributions required shall be based on the average
18 of the member's compensation earnable at both the time the authorized

1 leave of absence was granted and the time the member resumed
2 employment.

3 ~~(3) ((A member who leaves the employ of an employer to enter the
4 armed forces of the United States shall be entitled to retirement
5 system service credit for up to four years of military service.~~

6 ~~(a) The member qualifies for service credit under this subsection
7 if:~~

8 ~~(i) Within ninety days of the member's honorable discharge from the
9 United States armed forces, the member applies for reemployment with
10 the employer who employed the member immediately prior to the member
11 entering the United States armed forces; and~~

12 ~~(ii) The member makes the employee contributions required under RCW
13 41.40.650 plus interest as determined by the department within five
14 years of resumption of service or prior to retirement, whichever comes
15 sooner.~~

16 ~~(b) Upon receipt of member contributions under (a)(ii) of this
17 subsection, the department shall bill the employer for its contribution
18 required under RCW 41.40.650 for the period of military service, plus
19 interest as determined by the department.~~

20 ~~(c) The contributions required shall be based on the average of the
21 member's compensation earnable at both the time the member left the
22 employ of the employer to enter the armed forces and the time the
23 member resumed employment))~~ (a) A member who has served or shall serve
24 on active federal service in the military or naval forces of the United
25 States and who left or shall leave an employer to enter such service
26 shall be deemed to be on military leave of absence if he or she has
27 resumed or shall resume employment as an employee within one year from
28 termination thereof.

29 (b) If he or she has applied or shall apply for reinstatement of
30 employment, within one year from termination of the military service,
31 and is refused employment for reasons beyond his or her control, he or
32 she shall, upon resumption of service within ten years have such
33 service credited to him or her.

34 (c) In any event, after completing twenty-five years of creditable
35 service, any member may have service in the armed forces credited to
36 him or her as a member whether or not he or she left the employ of an
37 employer to enter the armed service: PROVIDED, That in no instance,
38 described in this section, shall military service in excess of five
39 years be credited: AND PROVIDED FURTHER, That in each instance the

1 member must restore all withdrawn accumulated contributions, which
2 restoration must be completed within five years of membership service
3 following the first resumption of employment or complete twenty-five
4 years of creditable service: AND PROVIDED FURTHER, That this section
5 will not apply to any individual, not a veteran within the meaning of
6 RCW 41.04.005, as now or hereafter amended: AND PROVIDED FURTHER, That
7 in no instance, described in this section, shall military service be
8 credited to any member who is receiving full military retirement
9 benefits pursuant to Title 10 United States Code.

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