
ENGROSSED SUBSTITUTE SENATE BILL 5510

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senator Niemi)

Read first time 03/04/93.

1 AN ACT Relating to Washington public employees' retirement;
2 amending RCW 41.40.058; adding a new section to chapter 41.50 RCW; and
3 adding a new section to chapter 41.40 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.50 RCW
6 to read as follows:

7 The director shall notify a member of any of the retirement systems
8 listed in RCW 41.50.030 who is eligible to restore withdrawn
9 contributions of the member's ability to restore the contributions, by
10 sending to the member's employer a statement of the potential service
11 credit to be restored, the amount of funds required for restoration,
12 the date by which the restoration must be accomplished, and the options
13 for repayment. The employer shall provide the statement to the member
14 and place a copy of the statement in the member's personnel file.

15 **Sec. 2.** RCW 41.40.058 and 1987 c 417 s 1 are each amended to read
16 as follows:

17 (1) Any person who was a member of the state-wide city employees'
18 retirement system governed by chapter 41.44 RCW and who also became a

1 member of the public employees' retirement system on or before July 26,
2 1987, may, in a writing filed with the director, elect to:

3 (a) Transfer to the public employees' retirement system all service
4 currently credited under chapter 41.44 RCW;

5 (b) Reestablish and transfer to the public employees' retirement
6 system all service which was previously credited under chapter 41.44
7 RCW but which was canceled by discontinuance of service and withdrawal
8 of accumulated contributions as provided in RCW 41.44.190. The service
9 may be reestablished and transferred only upon payment by the member to
10 the employees' savings fund of the public employees' retirement system
11 of the amount withdrawn plus interest thereon from the date of
12 withdrawal until the date of payment at a rate determined by the
13 director. No additional payments are required for service credit
14 described in this subsection if already established under this chapter;
15 and

16 (c) Establish service credit for the initial period of employment
17 not to exceed six months, prior to establishing membership under
18 chapter 41.44 RCW, upon payment in full by the member of the total
19 employer's contribution to the benefit account fund of the public
20 employees' retirement system that would have been made under this
21 chapter when the initial service was rendered. The payment shall be
22 based on the first month's compensation earnable as a member of the
23 state-wide city employees' retirement system and as defined in RCW
24 41.44.030(13). However, a person who has established service credit
25 under RCW 41.40.010(~~((+11))~~)(13) (c) or (d) shall not establish
26 additional credit under this subsection nor may anyone who establishes
27 credit under this subsection establish any additional credit under RCW
28 41.40.010(~~((+11))~~)(13) (c) or (d). No additional payments are required
29 for service credit described in this subsection if already established
30 under this chapter.

31 (2)(a) In the case of a member of the public employees' retirement
32 system who is employed by an employer on July 26, 1987, the written
33 election required by subsection (1) of this section must be filed and
34 the payments required by subsection (1)(b) and (c) of this section must
35 be completed (~~((in full within one year after July 26, 1987))~~) by
36 December 31, 1993.

37 (b) In the case of a former member of the public employees'
38 retirement system who is not employed by an employer on July 26, 1987,

1 the written election must be filed and the payments must be completed
2 in full within one year after reemployment by an employer.

3 (c) In the case of a retiree receiving a retirement allowance from
4 the public employees' retirement system on July 26, 1987, or any person
5 having vested rights as described in RCW 41.40.150 (~~((3) or (5))~~) (4),
6 the written election may be filed and the payments may be completed at
7 any time.

8 (3) Upon receipt of the written election and payments required by
9 subsection (1) of this section from any retiree described in subsection
10 (2)(c) of this section, the department shall recompute the retiree's
11 allowance in accordance with this section and shall pay any additional
12 benefit resulting from such recomputation retroactively to the date of
13 retirement from the system governed by this chapter.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.40 RCW
15 under the subchapter heading "Plan I" to read as follows:

16 Any active member or separated member who was not eligible to
17 restore contributions under section 3, chapter 317, Laws of 1986,
18 solely because he or she was an elected official, other than an elected
19 official under Articles II or III of the Constitution of the state of
20 Washington, shall be permitted to restore withdrawn contributions for
21 periods of nonelected service no later than June 30, 1994, with
22 interest as determined by the director.

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