

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1939

Chapter 307, Laws of 1998

55th Legislature
1998 Regular Session

COVERING RESERVE LAW ENFORCEMENT OFFICERS UNDER VOLUNTEER FIRE
FIGHTERS RELIEF BENEFITS

EFFECTIVE DATE: 6/11/98

Passed by the House February 13, 1998
Yeas 96 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate March 12, 1998
Yeas 48 Nays 0

BRAD OWEN
President of the Senate

Approved April 3, 1998

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1939** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 3, 1998 - 2:08 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1939

Passed Legislature - 1998 Regular Session

State of Washington

55th Legislature

1998 Regular Session

By House Committee on Government Administration (originally sponsored by Representatives Ogden, Cooper, Lantz, Anderson, Scott, O'Brien, Hatfield, Blalock, Kessler, Conway, Cody and Gardner)

Read first time 01/20/98. Referred to Committee on .

1 AN ACT Relating to covering reserve law enforcement officers under
2 volunteer fire fighters relief benefits; amending RCW 41.24.400; and
3 adding new sections to chapter 41.24 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 41.24 RCW
6 to read as follows:

7 A municipality employing reserve officers may adopt appropriate
8 legislation extending disability and death benefits under this chapter
9 to their reserve officers. Disability and death benefits under this
10 chapter may not be extended to reserve officers if the municipality has
11 extended industrial insurance coverage to its reserve officers under
12 RCW 51.12.140 or 51.12.035(2), or any other provision of law. A
13 municipality that adopts appropriate legislation extending disability
14 and death benefits to its reserve officers under RCW 41.24.150 and
15 41.24.160 shall enjoy the same extent of immunity from civil actions
16 for personal injuries to its reserve officers that arises if the
17 reserve officers were covered under Title 51 RCW.

18 Each municipality that adopts appropriate legislation extending
19 disability and death benefits under this chapter to its reserve

1 officers must pay all fees established under section 3 of this act
2 established for this coverage.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.24 RCW
4 to read as follows:

5 A municipality that adopts appropriate legislation providing its
6 reserve officers with disability and death benefits under RCW 41.24.150
7 and 41.24.160 shall create a reserve officer board of trustees to
8 administer this chapter composed as follows:

9 (1) A county reserve officer board of trustees shall consist of the
10 following five members: (a) Two members of the county legislative
11 authority and the county auditor, or their designees; (b) the sheriff;
12 and (c) one reserve officer who is elected by reserve officers of the
13 county for an annual one-year term.

14 (2) Any other reserve officer board of trustees shall consist of
15 the following five members: (a) The mayor, if one exists for the
16 municipality, and one member of the municipality's legislative
17 authority, or two members of the municipality's legislative authority
18 if a mayor does not exist for the municipality, or their designees; (b)
19 the clerk, comptroller, or chief fiscal officer of the municipality;
20 (c) the head of the law enforcement agency; and (d) one reserve officer
21 who is elected by reserve officers of the municipality for an annual
22 term of one year.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.24 RCW
24 to read as follows:

25 The state board shall set the amount of fees that each municipality
26 must pay to fully finance the costs of providing disability and death
27 benefits for its reserve officers under RCW 41.24.150 and 41.24.160 if
28 the municipality has adopted appropriate legislation providing its
29 reserve officers with such benefits.

30 **Sec. 4.** RCW 41.24.400 and 1995 c 11 s 2 are each amended to read
31 as follows:

32 (1) Except as provided in subsection (2) of this section, any
33 municipality may make provision by appropriate legislation and payment
34 of fees required by RCW 41.24.030(1)(d) solely for the purpose of
35 enabling any reserve officer to enroll under the retirement provisions
36 of this chapter or fees required under section 3 of this act to pay for

1 the costs of extending disability and death benefits to its reserve
2 officers.

3 (2) A reserve officer is not eligible to receive a benefit under
4 the retirement provisions of this chapter for service under chapter
5 41.26, 41.32, or 41.40 RCW.

6 (3) Every municipality shall make provisions for the collection and
7 payment of the fees required under this chapter, and shall continue to
8 make provisions for all reserve officers who come under this chapter as
9 long as they continue to be employed as reserve officers.

10 (4) Except as provided under section 1 of this act, a reserve
11 officer is not eligible to receive a benefit under the relief and
12 compensation provisions of this chapter.

Passed the House February 13, 1998.

Passed the Senate March 12, 1998.

Approved by the Governor April 3, 1998.

Filed in Office of Secretary of State April 3, 1998.