

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5217**

Chapter 151, Laws of 1998

55th Legislature  
1998 Regular Session

DEATH BENEFITS IN VOLUNTEER FIRE FIGHTERS' RELIEF AND PENSION  
SYSTEM--REVISIONS

EFFECTIVE DATE: 3/25/98

Passed by the Senate March 7, 1998  
YEAS 37 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House February 27, 1998  
YEAS 97 NAYS 0

CLYDE BALLARD

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**Speaker of the  
House of Representatives**

Approved March 25, 1998

GARY LOCKE

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**Governor of the State of Washington**

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5217** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

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**Secretary**

FILED

March 25, 1998 - 4:37 p.m.

**Secretary of State  
State of Washington**

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SENATE BILL 5217

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Passed Legislature - 1998 Regular Session

AS AMENDED BY THE HOUSE

State of Washington                      55th Legislature                      1997 Regular Session

By Senators Bauer, Winsley, Franklin, Long, Fraser, Roach, Loveland, Rasmussen, Goings, Swecker, Kohl, Oke, Patterson and Haugen; by request of Joint Committee on Pension Policy

Read first time 01/20/97. Referred to Committee on Ways & Means.

1            AN ACT Relating to death benefits in the volunteer fire fighters'  
2 relief and pension system; amending RCW 41.24.160; and declaring an  
3 emergency.

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

5            **Sec. 1.** RCW 41.24.160 and 1996 c 57 s 2 are each amended to read  
6 as follows:

7            (1) Whenever a fire fighter, or a reserve officer provided a  
8 benefit under this section, dies as the result of injuries received, or  
9 sickness contracted in consequence or as the result of the performance  
10 of his or her duties, the board of trustees shall order and direct the  
11 payment of the sum of (~~two~~) one hundred fifty-two thousand dollars to  
12 his widow or her widower, or if there is no widow or widower, then to  
13 his or her dependent child or children, or if there is no dependent  
14 child or children, then to his or her parents or either of them, and  
15 the sum of one thousand two hundred seventy-five dollars per month to  
16 his widow or her widower during his or her life together with the  
17 additional monthly sum of one hundred ten dollars for each child of the  
18 member, unemancipated or under eighteen years of age, dependent upon

1 the member for support at the time of his or her death, to a maximum  
2 total of two thousand five hundred fifty dollars per month.

3 (2) If the widow or widower does not have legal custody of one or  
4 more dependent children of the deceased fire fighter or if, after the  
5 death of the fire fighter, legal custody of such child or children  
6 passes from the widow or widower to another person, any payment on  
7 account of such child or children not in the legal custody of the widow  
8 or widower shall be made to the person or persons having legal custody  
9 of such child or children. Such payments on account of such child or  
10 children shall be subtracted from the amount to which such widow or  
11 widower would have been entitled had such widow or widower had legal  
12 custody of all the children and the widow or widower shall receive the  
13 remainder after such payments on account of such child or children have  
14 been subtracted. If there is no widow or widower, or the widow or  
15 widower dies while there are children, unemancipated or under eighteen  
16 years of age, then the amount of eight hundred twenty-five dollars per  
17 month shall be paid for the youngest or only child together with an  
18 additional seventy dollars per month for each additional of such  
19 children to a maximum of one thousand six hundred fifty dollars per  
20 month until they become emancipated or reach the age of eighteen years;  
21 and if there are no widow or widower, child, or children entitled  
22 thereto, then to his or her parents or either of them the sum of eight  
23 hundred twenty-five dollars per month for life, if it is proved to the  
24 satisfaction of the board that the parents, or either of them, were  
25 dependent on the deceased for their support at the time of his or her  
26 death. In any instance in subsections (1) and (2) of this section, if  
27 the widow or widower, child or children, or the parents, or either of  
28 them, marries while receiving such pension the person so marrying shall  
29 thereafter receive no further pension from the fund.

30 (3) In the case provided for in this section, the monthly payment  
31 provided may be converted in whole or in part into a lump sum payment,  
32 not in any case to exceed twelve thousand dollars, equal or  
33 proportionate, as the case may be, to the actuarial equivalent of the  
34 monthly payment in which event the monthly payments shall cease in  
35 whole or in part accordingly or proportionately. Such conversion may  
36 be made either upon written application to the state board and shall  
37 rest in the discretion of the state board; or the state board is  
38 authorized to make, and authority is hereby given it to make, on its  
39 own motion, lump sum payments, equal or proportionate, as the case may

1 be, to the value of the annuity then remaining in full satisfaction of  
2 claims due to dependents. Within the rule aforesaid the amount and  
3 value of the lump sum payment may be agreed upon between the applicant  
4 and the state board. Any person receiving a monthly payment under this  
5 section on June 29, 1961, may elect, within two years, to convert such  
6 payments into a lump sum payment as provided in this section.

7 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
8 preservation of the public peace, health, or safety, or support of the  
9 state government and its existing public institutions, and takes effect  
10 immediately.

Passed the Senate March 7, 1998.

Passed the House February 27, 1998.

Approved by the Governor March 25, 1998.

Filed in Office of Secretary of State March 25, 1998.