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HOUSE BILL 2539

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State of Washington

58th Legislature

2004 Regular Session

By Representatives Fromhold, Conway, Alexander, Upthegrove, Simpson, G., Moeller and Chase; by request of Select Committee on Pension Policy

Read first time 01/15/2004. Referred to Committee on Appropriations.

1 AN ACT Relating to public employees' retirement system, plan 1 and  
2 teachers' retirement system, plan 1 age and retirement requirements for  
3 receipt of the annual increase amount; amending RCW 41.40.197 and  
4 41.32.489; and providing an effective date.

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

6 **Sec. 1.** RCW 41.40.197 and 1995 c 345 s 5 are each amended to read  
7 as follows:

8 (1) Beginning July 1, 1995, and annually thereafter, the retirement  
9 allowance of a person meeting the requirements of this section shall be  
10 increased by the annual increase amount.

11 (2) The following persons shall be eligible for the benefit  
12 provided in subsection (1) of this section:

13 (a) A beneficiary who has received a retirement allowance for at  
14 least one year by July 1st in the calendar year in which the annual  
15 increase is given and has attained at least age sixty-six by (~~July~~  
16 ~~1st~~) December 31st in the calendar year in which the annual increase  
17 is given; or

18 (b) A beneficiary whose retirement allowance is lower than the  
19 minimum benefit provided under RCW 41.40.1984.

1 (3) The following persons shall also be eligible for the benefit  
2 provided in subsection (1) of this section:

3 (a) A beneficiary receiving the minimum benefit on June 30, 1995,  
4 under RCW 41.40.198; or

5 (b) A recipient of a survivor benefit on June 30, 1995, which has  
6 been increased by RCW 41.40.325.

7 (4) If otherwise eligible, those receiving an annual adjustment  
8 under RCW 41.40.188(1)(c) shall be eligible for the annual increase  
9 adjustment in addition to the benefit that would have been received  
10 absent this section.

11 (5) Those receiving a benefit under RCW 41.40.220(1), or a survivor  
12 of a disabled member under RCW 41.44.170(5) shall be eligible for the  
13 benefit provided by this section.

14 (6) The legislature reserves the right to amend or repeal this  
15 section in the future and no member or beneficiary has a contractual  
16 right to receive this postretirement adjustment not granted prior to  
17 that time.

18 **Sec. 2.** RCW 41.32.489 and 1995 c 345 s 2 are each amended to read  
19 as follows:

20 (1) Beginning July 1, 1995, and annually thereafter, the retirement  
21 allowance of a person meeting the requirements of this section shall be  
22 increased by the annual increase amount.

23 (2) The following persons shall be eligible for the benefit  
24 provided in subsection (1) of this section:

25 (a) A beneficiary who has received a retirement allowance for at  
26 least one year by July 1st in the calendar year in which the annual  
27 increase is given and has attained at least age sixty-six by (~~July~~  
28 ~~1st~~) December 31st in the calendar year in which the annual increase  
29 is given; or

30 (b) A beneficiary whose retirement allowance is lower than the  
31 minimum benefit provided under RCW 41.32.4851.

32 (3) The following persons shall also be eligible for the benefit  
33 provided in subsection (1) of this section:

34 (a) A beneficiary receiving the minimum benefit on June 30, 1995,  
35 under RCW 41.32.485; or

36 (b) A recipient of a survivor benefit on June 30, 1995, which has  
37 been increased by RCW 41.32.575.

1           (4) If otherwise eligible, those receiving an annual adjustment  
2 under RCW 41.32.530(1)(d) shall be eligible for the annual increase  
3 adjustment in addition to the benefit that would have been received  
4 absent this section.

5           (5) Those receiving a temporary disability benefit under RCW  
6 41.32.540 shall not be eligible for the benefit provided by this  
7 section.

8           (6) The legislature reserves the right to amend or repeal this  
9 section in the future and no member or beneficiary has a contractual  
10 right to receive this postretirement adjustment not granted prior to  
11 that time.

12           NEW SECTION.   **Sec. 3.** This act takes effect July 1, 2004.

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