
SENATE BILL 5097

State of Washington

58th Legislature

2003 Regular Session

By Senators Winsley, Fraser, Spanel, Parlette, B. Sheldon, Haugen and Rasmussen; by request of Joint Committee on Pension Policy

Read first time 01/15/2003. Referred to Committee on Ways & Means.

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; providing an effective date; and declaring an emergency.

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

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

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

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

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

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

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

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

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

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

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

27 (a) A beneficiary who has received a retirement allowance for at
28 least one year by July 1st in the calendar year in which the annual
29 increase is given and has attained at least age sixty-six by (~~July~~
30 ~~1st~~) December 31st in the calendar year in which the annual increase
31 is given; or

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

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

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

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

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

7 (5) Those receiving a temporary disability benefit under RCW
8 41.32.540 shall not be eligible for the benefit provided by this
9 section.

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

14 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 July 1, 2003.

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