

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1207

Chapter 402, Laws of 2003

58th Legislature
2003 Regular Session

PUBLIC EMPLOYEES--DEATH BENEFIT

EFFECTIVE DATE: 7/27/03

Passed by the House February 12, 2003
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 11, 2003
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Approved May 20, 2003.

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1207** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

Chief Clerk

FILED

May 20, 2003 - 3:54 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1207

Passed Legislature - 2003 Regular Session

State of Washington

58th Legislature

2003 Regular Session

By Representatives Alexander, Conway, Cooper, Simpson, Delvin and Campbell; by request of Joint Committee on Pension Policy

Read first time 01/21/2003. Referred to Committee on Appropriations.

1 AN ACT Relating to providing a death benefit for certain public
2 employees; adding a new section to chapter 41.40 RCW; adding a new
3 section to chapter 41.32 RCW; adding a new section to chapter 41.35
4 RCW; and adding a new section to chapter 41.04 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.40 RCW
7 under the subchapter heading "provisions applicable to plan 1, plan 2,
8 and plan 3" to read as follows:

9 (1) A one hundred fifty thousand dollar death benefit shall be paid
10 to the member's estate, or such person or persons, trust or
11 organization as the member has nominated by written designation duly
12 executed and filed with the department. If no such designated person
13 or persons are still living at the time of the member's death, the
14 member's death benefit shall be paid to the member's surviving spouse
15 as if in fact the spouse had been nominated by written designation, or
16 if there is no surviving spouse, then to the member's legal
17 representatives.

1 (2) The benefit under this section shall be paid only where death
2 occurs as a result of injuries sustained in the course of employment.
3 The determination of eligibility for the benefit shall be made
4 consistent with Title 51 RCW by the department of labor and industries.
5 The department of labor and industries shall notify the department of
6 retirement systems by order under RCW 51.52.050.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.32 RCW
8 under the subchapter heading "provisions applicable to plan 1, plan 2,
9 and plan 3" to read as follows:

10 (1) A one hundred fifty thousand dollar death benefit shall be paid
11 to the member's estate, or such person or persons, trust or
12 organization as the member has nominated by written designation duly
13 executed and filed with the department. If no such designated person
14 or persons are still living at the time of the member's death, the
15 member's death benefit shall be paid to the member's surviving spouse
16 as if in fact the spouse had been nominated by written designation, or
17 if there is no surviving spouse, then to the member's legal
18 representatives.

19 (2) The benefit under this section shall be paid only where death
20 occurs as a result of injuries sustained in the course of employment.
21 The determination of eligibility for the benefit shall be made
22 consistent with Title 51 RCW by the department of labor and industries.
23 The department of labor and industries shall notify the department of
24 retirement systems by order under RCW 51.52.050.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.35 RCW
26 under the subchapter heading "provisions applicable to plan 2 and plan
27 3" to read as follows:

28 (1) A one hundred fifty thousand dollar death benefit shall be paid
29 to the member's estate, or such person or persons, trust or
30 organization as the member has nominated by written designation duly
31 executed and filed with the department. If no such designated person
32 or persons are still living at the time of the member's death, the
33 member's death benefit shall be paid to the member's surviving spouse
34 as if in fact the spouse had been nominated by written designation, or
35 if there is no surviving spouse, then to the member's legal
36 representatives.

1 (2) The benefit under this section shall be paid only where death
2 occurs as a result of injuries sustained in the course of employment.
3 The determination of eligibility for the benefit shall be made
4 consistent with Title 51 RCW by the department of labor and industries.
5 The department of labor and industries shall notify the department of
6 retirement systems by order under RCW 51.52.050.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 41.04 RCW
8 to read as follows:

9 A one hundred fifty thousand dollar death benefit shall be paid as
10 a sundry claim to the estate of an employee of any state agency, the
11 common school system of the state, or institution of higher education
12 who dies as a result of injuries sustained in the course of employment
13 and is not otherwise provided a death benefit through coverage under
14 their enrolled retirement system under this act. The determination of
15 eligibility for the benefit shall be made consistent with Title 51 RCW
16 by the department of labor and industries. The department of labor and
17 industries shall notify the director of the department of general
18 administration by order under RCW 51.52.050.

Passed by the House February 12, 2003.
Passed by the Senate April 11, 2003.
Approved by the Governor May 20, 2003.
Filed in Office of Secretary of State May 20, 2003.