

CERTIFICATION OF ENROLLMENT

SENATE BILL 5918

60th Legislature
2007 Regular Session

Passed by the Senate March 14, 2007
YEAS 49 NAYS 0

President of the Senate

Passed by the House April 3, 2007
YEAS 97 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5918** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5918

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senators Fraser and Delvin; by request of Board For Judicial Administration

Read first time 02/07/2007. Referred to Committee on Ways & Means.

1 AN ACT Relating to retirement benefits for judges; and amending RCW
2 2.14.100 and 2.14.110.

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

4 **Sec. 1.** RCW 2.14.100 and 1988 c 109 s 21 are each amended to read
5 as follows:

6 (1) A member who separates from judicial service for any reason is
7 entitled to receive a lump sum distribution of the member's accumulated
8 contributions. The administrator for the courts may adopt rules
9 establishing other payment options, in addition to lump sum
10 distributions, if the other payment options conform to the requirements
11 of the federal internal revenue code.

12 (2) The right of a person to receive a payment under this chapter
13 and the moneys in the accounts created under this chapter are exempt
14 from any state, county, municipal, or other local tax and are not
15 subject to execution, garnishment, attachment, the operation of
16 bankruptcy or insolvency law, or any other process of law whatsoever
17 and is not assignable, except as is otherwise specifically provided in
18 this section.

1 (3) If a judgment, decree or other order, including a
2 court-approved property settlement agreement, that relates to the
3 provision of child support, spousal maintenance, or the marital
4 property rights of a spouse or former spouse, child, or other dependent
5 of a member is made pursuant to the domestic relations law of the state
6 of Washington or such order issued by a court of competent jurisdiction
7 in another state or country, that has been registered or otherwise made
8 enforceable in this state, then the amount of the member's accumulated
9 contributions shall be paid in the manner and to the person or persons
10 so directed in the domestic relations order. However, this subsection
11 does not permit or require a benefit to be paid or to be provided that
12 is not otherwise available under the terms of this chapter or any rules
13 adopted under this chapter. The administrator for the courts shall
14 establish reasonable procedures for determining the status or any such
15 decree or order and for effectuating distribution pursuant to the
16 domestic relations order.

17 (4) The administrator for the courts may pay from a member's
18 accumulated contributions the amount that the administrator finds is
19 lawfully demanded under a levy issued by the internal revenue service
20 with respect to that member or is sought to be collected by the United
21 States government under a judgment resulting from an unpaid tax
22 assessment against the member.

23 **Sec. 2.** RCW 2.14.110 and 2005 c 282 s 1 are each amended to read
24 as follows:

25 If a member dies, the amount of the accumulated contributions
26 standing to the member's credit at the time of the member's death,
27 subject to the provisions of chapter 26.16 RCW, shall be paid to the
28 member's estate, or such person or persons, trust, or organization as
29 the member has nominated by written designation duly executed and filed
30 with the administrative office of the courts. If there is no such
31 designated person or persons still living at the time of the member's
32 death, the member's accumulated contributions shall be paid to the
33 member's surviving spouse as if in fact the spouse had been nominated
34 by written designation or, if there is no such surviving spouse, then
35 to the member's legal representatives.

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