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HOUSE BILL 2489

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State of Washington                      61st Legislature                      2010 Regular Session

By Representatives Moeller, Chase, Appleton, and Ormsby

Prefiled 12/22/09. Read first time 01/11/10. Referred to Committee on  
Judiciary.

1            AN ACT Relating to eliminating the mandatory retirement age for  
2 judges; amending RCW 2.10.100; repealing RCW 3.74.030; and providing a  
3 contingent effective date.

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

5            **Sec. 1.** RCW 2.10.100 and 1995 c 305 s 1 are each amended to read  
6 as follows:

7            Retirement of a member for service shall be made by the retirement  
8 board as follows:

9            (1) Any judge who, on August 9, 1971, or within one year  
10 thereafter, shall have completed as a judge the years of actual service  
11 required under chapter 2.12 RCW and who shall elect to become a member  
12 of this system, shall in all respects be deemed qualified to retire  
13 under this retirement system upon the member's written request.

14            (2) Any member who has completed fifteen or more years of service  
15 may be retired upon the member's written request but shall not be  
16 eligible to receive a retirement allowance until the member attains the  
17 age of sixty years.

18            (3) ~~((Any member who attains the age of seventy five years shall be~~

1 ~~retired at the end of the calendar year in which the member attains~~  
2 ~~such age.~~

3 (4)) Any judge who involuntarily leaves service or who is  
4 appointed to a position as a federal judge or federal magistrate at any  
5 time after having served an aggregate of twelve years shall be eligible  
6 to a partial retirement allowance computed according to RCW 2.10.110  
7 and shall receive this allowance upon the attainment of the age of  
8 sixty years and fifteen years after the beginning of the member's  
9 judicial service.

10 NEW SECTION. **Sec. 2.** RCW 3.74.030 (Mandatory retirement for  
11 district judges) and 1984 c 258 s 56 & 1969 ex.s. c 6 s 1 are each  
12 repealed.

13 NEW SECTION. **Sec. 3.** This act takes effect January 1, 2011, if  
14 the proposed amendment to Article IV, section 3(a) of the state  
15 Constitution (House Joint Resolution No. .... (H-3865/10), eliminating  
16 the mandatory retirement age for judges) is validly submitted to and is  
17 approved and ratified by the voters at the next general election. If  
18 the proposed amendment is not approved and ratified, this act is void  
19 in its entirety.

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