

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1545**

Chapter 21, Laws of 2010

61st Legislature  
2010 Regular Session

HIGHER EDUCATION EMPLOYEES--ANNUITIES AND RETIREMENT INCOME PLANS

EFFECTIVE DATE: 06/10/10

Passed by the House February 15, 2010  
Yeas 94 Nays 4

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate March 4, 2010  
Yeas 48 Nays 0

BRAD OWEN

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**President of the Senate**

Approved March 12, 2010, 1:42 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1545** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

March 12, 2010

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1545**

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Passed Legislature - 2010 Regular Session

**State of Washington**

**61st Legislature**

**2010 Regular Session**

**By** House Ways & Means (originally sponsored by Representatives Conway, Seaquist, Bailey, Crouse, Hasegawa, Kenney, Simpson, Morrell, and Ormsby; by request of Select Committee on Pension Policy)

READ FIRST TIME 02/09/10.

1       AN ACT Relating to higher education employees' annuities and  
2 retirement income plans; and amending RCW 28B.10.400.

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

4       **Sec. 1.** RCW 28B.10.400 and 1979 ex.s. c 259 s 1 are each amended  
5 to read as follows:

6       The boards of regents of the state universities, the boards of  
7 trustees of the regional universities and of The Evergreen State  
8 College, and the state board for community and technical colleges  
9 ((~~education~~)) are authorized and empowered:

10       (1) To assist the faculties and such other employees as any such  
11 board may designate in the purchase of old age annuities or retirement  
12 income plans under such rules ((~~and regulations~~)) as any such board may  
13 prescribe. County agricultural agents, home demonstration agents, 4-H  
14 club agents, and assistant county agricultural agents paid jointly by  
15 the Washington State University and the several counties shall be  
16 deemed to be full time employees of the Washington State University for  
17 the purposes hereof;

18       (2) To provide, under such rules and regulations as any such board  
19 may prescribe for the faculty members or other employees under its

1 supervision, for the retirement of any such faculty member or other  
2 employee on account of age or condition of health, retirement on  
3 account of age to be not earlier than the sixty-fifth birthday:  
4 PROVIDED, That such faculty member or such other employee may elect to  
5 retire at the earliest age specified for retirement by federal social  
6 security law: PROVIDED FURTHER, That any supplemental payment  
7 authorized by subsection (3) of this section and paid as a result of  
8 retirement earlier than age sixty-five shall be at an actuarially  
9 reduced rate;

10 (3) To pay to any such retired person or to his or her designated  
11 beneficiary(s), each year after his or her retirement, a supplemental  
12 amount which, when added to the amount of such annuity or retirement  
13 income plan, or retirement income benefit pursuant to RCW 28B.10.415,  
14 received by (~~him or his~~) the retired person or the retired person's  
15 designated beneficiary(s) in such year, will not exceed fifty percent  
16 of the average annual salary paid to such retired person for his or her  
17 highest two consecutive years of full time service under an annuity or  
18 retirement income plan established pursuant to subsection (1) of this  
19 section at an institution of higher education: PROVIDED, HOWEVER, That  
20 if such retired person prior to (~~his~~) retirement elected a  
21 supplemental payment survivors option, any such supplemental payments  
22 to such retired person or (~~his~~) the retired person's designated  
23 beneficiary(s) shall be at actuarially reduced rates: PROVIDED  
24 FURTHER, That if a faculty member or other employee of an institution  
25 of higher education who is a participant in a retirement plan  
26 authorized by this section dies, or has died before retirement but  
27 after becoming eligible for retirement on account of age, the  
28 designated beneficiary(s) shall be entitled to receive the supplemental  
29 payment authorized by this subsection (~~((3) of this section)~~) to which  
30 such designated beneficiary(s) would have been entitled had said  
31 deceased faculty member or other employee retired on the date of death  
32 after electing a supplemental payment survivors option: PROVIDED  
33 FURTHER, That for the purpose of this subsection, the designated  
34 beneficiary(s) shall be (a) the surviving spouse of the retiree; or,  
35 (b) with the written consent of such spouse, if any, such other person  
36 or persons as shall have an insurable interest in the retiree's life  
37 and shall have been nominated by written designation duly executed and  
38 filed with the retiree's institution of higher education;

1       (4) The higher education coordinating board is also authorized and  
2 empowered as described in this section, subject to the following: The  
3 board shall only offer participation in a purchased annuity or  
4 retirement income plan authorized under this section to employees who  
5 have previously contributed premiums to a similar qualified plan, and  
6 the board is prohibited from offering or funding such a plan authorized  
7 under this section for the benefit of any retiree who is receiving or  
8 accruing a retirement allowance from a public employees' retirement  
9 system under Title 41 RCW or chapter 43.43 RCW.

Passed by the House February 15, 2010.

Passed by the Senate March 4, 2010.

Approved by the Governor March 12, 2010.

Filed in Office of Secretary of State March 12, 2010.