CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1122**

Chapter 258, Laws of 2022

(partial veto)

67th Legislature

2022 Regular Session

WASHINGTON STATE GUARD—RETIREMENT AGE

EFFECTIVE DATE: June 9, 2022

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| Passed by the House January 12, 2022  Yeas 95 Nays 0  LAURIE JINKINS  **Speaker of the House of Representatives**  Passed by the Senate March 1, 2022  Yeas 47 Nays 0  DENNY HECK  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1122** as passed by the House of Representatives and the Senate on the dates hereon set forth.  BERNARD DEAN  Chief Clerk |
| Approved March 31, 2022 4:25 PM with the exception of section 2, which is vetoed. | April 1, 2022 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**HOUSE BILL 1122**

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Passed Legislature - 2022 Regular Session

**State of Washington 67th Legislature 2021 Regular Session**

**By** Representatives Lovick, Klippert, Ryu, Goodman, MacEwen, and Orwall

AN ACT Relating to the retirement age for state guard members; amending RCW 38.16.015; and declaring an emergency.

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

**Sec.**  RCW 38.16.015 and 2012 c 12 s 1 are each amended to read as follows:

(1) The period of enlistment in the Washington state guard shall be set by regulation by the adjutant general or the adjutant general's designee. ((~~However, no original enlistment may be consummated unless the term thereof can be completed before the applicant attains the age of sixty-four.~~))

(2) Notwithstanding subsection (1) of this section and RCW 38.12.180(2), the adjutant general, or the adjutant general's designee, may extend the service age upon request by an active member of the Washington state guard if the adjutant general, or the adjutant general's designee, determines the member's extension would be in the best interest of the Washington state guard. Extensions under this subsection have a ((~~one-year~~)) two-year duration and may be renewed ((~~until the member attains the age of sixty-eight~~)) beyond the age of sixty-four, subject to the discretion of the adjutant general or the adjutant general's designee, if:

(a) The member is physically and mentally capable to complete all assigned mission tasks; and

(b) The Washington state guard officer review board recommends the extension.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**--- END ---**

Passed by the House January 12, 2022.

Passed by the Senate March 1, 2022.

Approved by the Governor March 31, 2022, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 1, 2022.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 2, House Bill No. 1122 entitled:

"AN ACT Relating to the retirement age for state guard members."

Section 1 of House Bill 1122 updates the retirement age for Washington state guard members. Current law allows volunteer guard members to serve until age 64, with possible one-year extensions until age 68. This bill retains the retirement age of 64 but now allows for unlimited two-year extensions if the member is physically and mentally capable of completing assigned mission tasks and if the extension is approved by leadership. Section 2 is an emergency clause that would make this change effective immediately. I agree that allowing volunteers to serve for as long as they can complete their tasks is beneficial to our entire community. However, as important as this bill is, modifying the retirement age of volunteer state guard members is not an emergency.

For these reasons I have vetoed Section 2 of House Bill No. 1122.

With the exception of Section 2, House Bill No. 1122 is approved."