

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

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**

Approved March 31, 2022 4:25 PM with  
the exception of section 2, which is  
vetoed.

JAY INSLEE

**Governor of the State of Washington**

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**

FILED

April 1, 2022

**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

Prefiled 01/08/21. Read first time 01/11/21. Referred to Committee on Housing, Human Services & Veterans.

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

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

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

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

11 (2) Notwithstanding subsection (1) of this section and RCW  
12 38.12.180(2), the adjutant general, or the adjutant general's  
13 designee, may extend the service age upon request by an active member  
14 of the Washington state guard if the adjutant general, or the  
15 adjutant general's designee, determines the member's extension would  
16 be in the best interest of the Washington state guard. Extensions  
17 under this subsection have a (~~one-year~~) two-year duration and may  
18 be renewed (~~until the member attains the age of sixty-eight~~) beyond  
19 the age of sixty-four, subject to the discretion of the adjutant  
20 general or the adjutant general's designee, if:

- 1       (a) The member is physically and mentally capable to complete all  
2 assigned mission tasks; and  
3       (b) The Washington state guard officer review board recommends  
4 the extension.

5       ***\*NEW SECTION. Sec. 2. This act is necessary for the immediate***  
6 ***preservation of the public peace, health, or safety, or support of***  
7 ***the state government and its existing public institutions, and takes***  
8 ***effect immediately.***

***\*Sec. 2 was vetoed. See message at end of chapter.***

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."

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