

SENATE BILL REPORT

SB 6106

As Reported by Senate Committee On:
Ways & Means, February 2, 2024

Title: An act relating to including in the public safety employees' retirement system specified competency restoration workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings.

Brief Description: Including in the public safety employees' retirement system specified competency restoration workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings. [**Revised for 1st Substitute:** Including in the public safety employees' retirement system specified workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings.]

Sponsors: Senators Conway, Keiser, Robinson, Hunt, Dhingra, Frame, Holy, Kuderer, Lovick, Nobles, Valdez and Wilson, C.; by request of Department of Social and Health Services.

Brief History:

Committee Activity: Ways & Means: 1/23/24, 2/02/24 [DPS].

Brief Summary of First Substitute Bill

- Expands membership in the Public Safety Employees' Retirement System to employees, institutions, or residential sites that serve civilly committed residents, or serve patients under not guilty by reason of insanity findings.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6106 be substituted therefor, and the substitute bill do pass.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Pedersen, Randall, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

Staff: Amanda Cecil (786-7460)

Background: The Public Safety Employees' Retirement System (PSERS) was established July 1, 2006. Certain full-time state and local government job classes that were covered by the Public Employees' Retirement System (PERS) that had been identified as having law enforcement responsibilities and powers were moved to PSERS. PSERS has a normal retirement age of 60 with ten years of service as compared to the PERS 2 plan with a normal retirement age of 65.

Membership in PSERS is limited by employer and specific job criteria. PSERS employers are defined as the Department of Corrections, the Department of Natural Resources, the State Parks and Recreation Commission, the Gambling Commission, the Washington State Patrol, the Liquor Control Board, Department of Social and Health Services (DSHS), the Department of Children, Youth, and Families, the Department of Veterans Affairs, county corrections departments, and the corrections departments of municipalities not classified as first class cities.

The specific job classes covered by PSERS include city corrections officers; jailers; police support officers; custody officers and bailiffs; county corrections officers; probation officers and probation counselors; state correctional officers; correctional sergeants and community corrections officers; liquor enforcement officers; park rangers; commercial vehicle enforcement officers; gambling special agents, and certain employees whose primary responsibility is to provide nursing care or to ensure the custody or safety of offender and patient populations.

Summary of Bill (First Substitute): PSERS membership is expanded to include employees of DSHS that work at an institutions or residential sites that serve civilly committed residents, or serve patients under not guilty by reason of insanity findings.

Members of the Public Employees' Retirement System (PERS) Plan 2 or Plan 3 made newly eligible for PSERS, may choose to remain in PERS or transferring to PSERS for periods of future service. The choice to transfer to PSERS must be made during an election period between June 1, 2025, and September 1, 2025. Members of PERS that do not affirmatively choose to transfer to PSERS will remain in PERS.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (First Substitute):

- Removes “competency restoration” from the title to align with the changes in the bill.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on June 1, 2025.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This will include staff at the State Operating Living Alternative (SOLA) homes in PSERS. This impacts a vital group of workers serving residents of SOLAs and the state hospitals. These jobs come with a high degree of physical risk and should be covered by this system. These employees meet the requirements to be covered but because the institutions are not identified they have been left out of the law. This bill updates the system to align with the changing work of DSHS. This bill needs a technical correction to clarify that new staff would be covered by PSERS.

Persons Testifying: PRO: Senator Steve Conway, Prime Sponsor; Dane Austreng, SEIU 1199NW; Kevin Bovenkamp, DSHS Behavioral Health Administration; Nicole Gomez, Washington Federation of State Employees.

Persons Signed In To Testify But Not Testifying: No one.