
SUBSTITUTE HOUSE BILL 2357

State of Washington

68th Legislature

2024 Regular Session

By House Transportation (originally sponsored by Representatives Fey, Barkis, Hutchins, Robertson, Leavitt, Schmidt, Shavers, Nance, Bronoske, Paul, Timmons, and Caldier)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to establishment of a state patrol longevity
2 bonus; amending RCW 43.43.120; adding a new section to chapter 43.43
3 RCW; creating new sections; and providing expiration dates.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the Washington
6 state patrol has made strides in its efforts to recruit new troopers
7 and address the unprecedented levels of vacancies within its ranks.
8 The legislature has supported those efforts by providing sign-on
9 bonuses for cadets and lateral hires, retention bonuses for new
10 troopers and lateral hires, and requiring parity of trooper salaries
11 relative to other law enforcement agencies in the state of
12 Washington. The legislature further finds that trooper and sergeant
13 vacancies diminish the staff available to advance up through the
14 ranks of commissioned staff to build the leadership team for the
15 organization. The legislature further finds that increases in
16 retirement-eligible staff, with 122 commissioned staff expected to
17 have 25 years of service or more in 2024, means that more needs to be
18 done in the near term to ensure the success of efforts to rebuild the
19 commissioned ranks of the state patrol. Therefore, the legislature
20 intends to strengthen the Washington state patrol's ability to retain

1 senior, experienced commissioned staff with the establishment of a
2 state patrol longevity bonus pilot program.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.43
4 RCW to read as follows:

5 (1) Beginning July 1, 2024, an eligible commissioned employee
6 completing 26 or more years of service shall receive an annual state
7 trooper longevity bonus of \$15,000 on the employee's anniversary date
8 of state employment.

9 (2) The establishment of the state trooper longevity bonus is
10 subject to a change to the applicable collective bargaining
11 agreements negotiated with the exclusive bargaining representatives.

12 (3) This section does not interfere with, impede, or in any way
13 diminish the right of the officers of the Washington state patrol to
14 bargain collectively with the state through the exclusive bargaining
15 representatives as provided for in RCW 41.56.473.

16 (4) The state patrol longevity bonus created in this section is a
17 time-limited incentive targeted at retaining senior personnel and is
18 not intended to be included in salary or average final salary for
19 calculation of pension benefits in this chapter.

20 (5) The benefits provided pursuant to this act are not provided
21 to employees as a matter of contractual right. The legislature
22 retains the right to alter or abolish these benefits at any time.

23 (6) For the purposes of this section, "eligible commissioned
24 employee" means a Washington state patrol employee with 26 or more
25 years of service in the Washington state patrol retirement system.

26 (7) This section expires June 30, 2029.

27 **Sec. 3.** RCW 43.43.120 and 2021 c 12 s 8 are each amended to read
28 as follows:

29 As used in this section and RCW 43.43.130 through 43.43.320,
30 unless a different meaning is plainly required by the context:

31 (1) "Actuarial equivalent" shall mean a benefit of equal value
32 when computed upon the basis of such mortality table as may be
33 adopted and such interest rate as may be determined by the director.

34 (2) "Annual increase" means as of July 1, 1999, (~~seventy-seven~~)
35 77 cents per month per year of service which amount shall be
36 increased each subsequent July 1st by three percent, rounded to the
37 nearest cent.

1 (3) (a) "Average final salary," for members commissioned prior to
2 January 1, 2003, shall mean the average monthly salary received by a
3 member during the member's last two years of service or any
4 consecutive two-year period of service, whichever is the greater, as
5 an employee of the Washington state patrol; or if the member has less
6 than two years of service, then the average monthly salary received
7 by the member during the member's total years of service.

8 (b) "Average final salary," for members commissioned on or after
9 January 1, 2003, shall mean the average monthly salary received by a
10 member for the highest consecutive (~~sixty~~) 60 service credit
11 months; or if the member has less than (~~sixty~~) 60 months of
12 service, then the average monthly salary received by the member
13 during the member's total months of service.

14 (c) In calculating average final salary under (a) or (b) of this
15 subsection, the department of retirement systems shall include:

16 (i) Any compensation forgone by the member during the 2009-2011
17 fiscal biennium as a result of reduced work hours, mandatory or
18 voluntary leave without pay, temporary reduction in pay implemented
19 prior to December 11, 2010, or temporary layoffs if the reduced
20 compensation is an integral part of the employer's expenditure
21 reduction efforts, as certified by the chief;

22 (ii) Any compensation forgone by a member during the 2011-2013
23 fiscal biennium as a result of reduced work hours, mandatory leave
24 without pay, temporary layoffs, or reductions to current pay if the
25 reduced compensation is an integral part of the employer's
26 expenditure reduction efforts, as certified by the chief. Reductions
27 to current pay shall not include elimination of previously agreed
28 upon future salary reductions; and

29 (iii) Any compensation forgone by a member during the 2019-2021
30 and 2021-2023 fiscal biennia as a result of reduced work hours,
31 mandatory leave without pay, temporary layoffs, furloughs, reductions
32 to current pay, or other similar measures resulting from the COVID-19
33 budgetary crisis, if the reduced compensation is an integral part of
34 the employer's expenditure reduction efforts, as certified by the
35 chief. Reductions to current pay shall not include elimination of
36 previously agreed upon future salary increases.

37 (4) "Beneficiary" means any person in receipt of retirement
38 allowance or any other benefit allowed by this chapter.

39 (5) (a) "Cadet," for a person who became a member of the
40 retirement system after June 12, 1980, is a person who has passed the

1 Washington state patrol's entry-level oral, written, physical
2 performance, and background examinations and is, thereby, appointed
3 by the chief as a candidate to be a commissioned officer of the
4 Washington state patrol.

5 (b) "Cadet," for a person who became a member of the retirement
6 system before June 12, 1980, is a trooper cadet, patrol cadet, or
7 employee of like classification, employed for the express purpose of
8 receiving the on-the-job training required for attendance at the
9 state patrol academy and for becoming a commissioned trooper. "Like
10 classification" includes: Radio operators or dispatchers; persons
11 providing security for the governor or legislature; patrol officers;
12 drivers' license examiners; weighmasters; vehicle safety inspectors;
13 central wireless operators; and warehouse workers.

14 (6) "Contributions" means the deduction from the compensation of
15 each member in accordance with the contribution rates established
16 under chapter 41.45 RCW.

17 (7) "Current service" shall mean all service as a member rendered
18 on or after August 1, 1947.

19 (8) "Department" means the department of retirement systems
20 created in chapter 41.50 RCW.

21 (9) "Director" means the director of the department of retirement
22 systems.

23 (10) "Domestic partners" means two adults who have registered as
24 domestic partners under RCW 26.60.040.

25 (11) "Employee" means any commissioned employee of the Washington
26 state patrol.

27 (12) "Insurance commissioner" means the insurance commissioner of
28 the state of Washington.

29 (13) "Lieutenant governor" means the lieutenant governor of the
30 state of Washington.

31 (14) "Member" means any person included in the membership of the
32 retirement fund.

33 (15) "Plan 2" means the Washington state patrol retirement system
34 plan 2, providing the benefits and funding provisions covering
35 commissioned employees who first become members of the system on or
36 after January 1, 2003.

37 (16) "Prior service" shall mean all services rendered by a member
38 to the state of Washington, or any of its political subdivisions
39 prior to August 1, 1947, unless such service has been credited in

1 another public retirement or pension system operating in the state of
2 Washington.

3 (17) "Regular interest" means interest compounded annually at
4 such rates as may be determined by the director.

5 (18) "Retirement board" means the board provided for in this
6 chapter.

7 (19) "Retirement fund" means the Washington state patrol
8 retirement fund.

9 (20) "Retirement system" means the Washington state patrol
10 retirement system.

11 (21)(a) "Salary," for members commissioned prior to July 1, 2001,
12 shall exclude any overtime earnings related to RCW 47.46.040, or any
13 voluntary overtime, earned on or after July 1, 2001, and prior to
14 July 1, 2017. On or after July 1, 2017, salary shall exclude overtime
15 earnings in excess of (~~seventy~~) 70 hours per year in total related
16 to either RCW 47.46.040 or any voluntary overtime. On or after the
17 effective date of this section, salary shall exclude earnings from
18 the longevity bonus created in section 2 of this act.

19 (b) "Salary," for members commissioned from July 1, 2001, to
20 December 31, 2002, shall exclude any overtime earnings related to RCW
21 47.46.040 or any voluntary overtime, earned prior to July 1, 2017,
22 lump sum payments for deferred annual sick leave, or any form of
23 severance pay. On or after July 1, 2017, salary shall exclude
24 overtime earnings in excess of (~~seventy~~) 70 hours per year in total
25 related to either RCW 47.46.040 or any voluntary overtime. On or
26 after the effective date of this section, salary shall exclude
27 earnings from the longevity bonus created in section 2 of this act.

28 (c) "Salary," for members commissioned on or after January 1,
29 2003, shall exclude any overtime earnings related to RCW 47.46.040 or
30 any voluntary overtime, earned prior to July 1, 2017, lump sum
31 payments for deferred annual sick leave, unused accumulated vacation,
32 unused accumulated annual leave, holiday pay, or any form of
33 severance pay. On or after July 1, 2017, salary shall exclude
34 overtime earnings in excess of (~~seventy~~) 70 hours per year in total
35 related to either RCW 47.46.040 or any voluntary overtime. On or
36 after the effective date of this section, salary shall exclude
37 earnings from the longevity bonus created in section 2 of this act.

38 (d) The addition of overtime earnings related to RCW 47.46.040 or
39 any voluntary overtime earned on or after July 1, 2017, in chapter

1 181, Laws of 2017 is a benefit improvement that increases the member
2 maximum contribution rate under RCW 41.45.0631(1) by 1.10 percent.

3 (22) (a) "Service" shall mean services rendered to the state of
4 Washington or any political subdivisions thereof for which
5 compensation has been paid. Full time employment for (~~seventy~~) 70
6 or more hours in any given calendar month shall constitute one month
7 of service. An employee who is reinstated in accordance with RCW
8 43.43.110 shall suffer no loss of service for the period reinstated
9 subject to the contribution requirements of this chapter. Only months
10 of service shall be counted in the computation of any retirement
11 allowance or other benefit provided for herein. Years of service
12 shall be determined by dividing the total number of months of service
13 by (~~twelve~~) 12. Any fraction of a year of service as so determined
14 shall be taken into account in the computation of such retirement
15 allowance or benefit.

16 (b) Reduction efforts such as furloughs, reduced work hours,
17 mandatory leave without pay, temporary layoffs, or other similar
18 situations as contemplated by subsection (3)(c)(iii) of this section
19 do not result in a reduction in service credit that otherwise would
20 have been earned for that month of work, and the member shall receive
21 the full service credit for the hours that were scheduled to be
22 worked before the reduction.

23 (23) "State actuary" or "actuary" means the person appointed
24 pursuant to RCW 44.44.010(2).

25 (24) "State treasurer" means the treasurer of the state of
26 Washington.

27 Unless the context expressly indicates otherwise, words importing
28 the masculine gender shall be extended to include the feminine gender
29 and words importing the feminine gender shall be extended to include
30 the masculine gender.

31 NEW SECTION. **Sec. 4.** (1) By November 1, 2028, the joint
32 legislative audit and review committee must conduct a performance
33 review of the state patrol longevity bonus pilot program. The
34 performance review must evaluate, at minimum:

35 (a) The program's impact on retention of senior commissioned
36 staff of the state patrol;

37 (b) The change in vacancies in each of the commissioned staff
38 categories over time;

1 (c) An evaluation of optimal commissioned staffing levels at the
2 state patrol, including a comparison to other states' field force
3 staffing levels;

4 (d) A description of other factors that may be impacting
5 retention and vacancy rates; and

6 (e) Recommendations for addressing state patrol staffing levels,
7 which must include whether to continue the state patrol longevity
8 bonus program.

9 (2) This section expires June 30, 2029.

10 NEW SECTION. **Sec. 5.** Section 3 of this act expires June 30,
11 2029.

--- END ---