

**SB 5420** - H COMM AMD

By Committee on Technology, Economic Development, & Veterans

**NOT ADOPTED 03/05/2026**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that service to our  
4 nation is a selfless sacrifice carried out by members of the armed  
5 forces, uniformed services, and their families.

6 Therefore, the legislature finds that members of the uniformed  
7 services should be afforded the same benefits and opportunities when  
8 choosing to continue public service employment in Washington state.

9 The legislature further recognizes the need to support employment  
10 opportunities for veterans, who served at any time in our nation's  
11 history and obtained a qualifying discharge, and spouses who support  
12 our current active duty force by allowing for hiring preference.

13 **Sec. 2.** RCW 38.04.010 and 1991 c 43 s 1 are each amended to read  
14 as follows:

15 When used in this title, the following words, terms, phrases  
16 shall have the following meaning:

17 The word "militia" shall mean the military forces provided for in  
18 the Constitution and laws of the state of Washington.

19 The term "organized militia" shall be the general term to include  
20 both state and national guard and whenever used applies equally to  
21 all such organizations.

22 The term "national guard" shall mean that part of the military  
23 force of the state that is organized, equipped and federally  
24 recognized under the provisions of the national defense act of the  
25 United States, and, in the event the national guard is called into  
26 federal service or in the event the state guard or any part or  
27 individual member thereof is called into active state service by the  
28 commander-in-chief, the term shall also include the "Washington state  
29 guard" or any temporary organization set up in times of emergency to

1 replace either the "national guard" or "state guard" while in actual  
2 service of the United States.

3 The term "state guard" shall mean that part of the military  
4 forces of the state that is organized, equipped, and recognized under  
5 the provisions of the State Defense Forces Act of the United States  
6 (32 U.S.C. Sec. 109, as amended).

7 The term "active state service" or "active training duty" shall  
8 be construed to be any service on behalf of the state, or at  
9 encampments whether ordered by state or federal authority or any  
10 other duty requiring the entire time of any organization or person  
11 except when called or drafted into the federal service by the  
12 president of the United States.

13 The term "inactive duty" shall include periods of drill and such  
14 other training and service not requiring the entire time of the  
15 organization or person, as may be required under state or federal  
16 laws, regulations, or orders, including travel to and from such duty.

17 The terms "in service of United States" and "not in service of  
18 United States" as used herein shall be understood to mean the same as  
19 such terms when used in the national defense act of congress and  
20 amendments thereto.

21 The term "military" refers to any or all of the armed forces.

22 The term "armory" refers to any state-owned building, warehouse,  
23 vehicle storage compound, organizational maintenance shop or other  
24 facility and the lands appurtenant thereto used by the Washington  
25 national guard for the storage and maintenance of arms or military  
26 equipment or the administration or training of the organized militia.

27 The term "member" refers to a soldier, ~~((or))~~ airman, or guardian  
28 of the organized militia.

29 **Sec. 3.** RCW 38.42.010 and 2018 c 197 s 1 are each amended to  
30 read as follows:

31 The definitions in this section apply throughout this chapter,  
32 unless the context clearly requires otherwise.

33 (1) "Attorney general" means the attorney general of the state of  
34 Washington or any person designated by the attorney general to carry  
35 out a responsibility of the attorney general under this chapter.

36 (2) "Business loan" means a loan or extension of credit granted  
37 to a business entity that: (a) Is owned and operated by a service  
38 member, in which the service member is either (i) a sole proprietor,  
39 or (ii) the owner of at least fifty percent of the entity; and (b)

1 experiences a material reduction in revenue due to the service  
2 member's military service.

3 (3) "Dependent" means:

4 (a) The service member's spouse;

5 (b) The service member's minor child; or

6 (c) An individual for whom the service member provided more than  
7 one-half of the individual's support for one hundred eighty days  
8 immediately preceding an application for relief under this chapter.

9 (4) "Financial institution" means an institution as defined in  
10 RCW 30A.22.041.

11 (5) "Judgment" does not include temporary orders as issued by a  
12 judicial court or administrative tribunal in domestic relations cases  
13 under Title 26 RCW, including but not limited to establishment of a  
14 temporary child support obligation, creation of a temporary parenting  
15 plan, or entry of a temporary protective or restraining order.

16 (6) "Military service" means a service member:

17 (a) Under a call to active service authorized by the president of  
18 the United States or the secretary of defense for a period of more  
19 than thirty consecutive days; or

20 (b) Under a call to active service authorized by the governor  
21 under RCW 38.08.040 for a period of more than thirty consecutive  
22 days.

23 (7) "National guard" has the meaning in RCW 38.04.010.

24 (8) "Service member" means an active member of the United States  
25 armed forces, a member of a military reserve component, (~~(or)~~) a  
26 member of the national guard who is either stationed in or a resident  
27 of Washington state, or a member of the United States public health  
28 service commissioned corps or national oceanic and atmospheric  
29 administration commissioned officer corps.

30 **Sec. 4.** RCW 41.18.150 and 2007 c 218 s 55 are each amended to  
31 read as follows:

32 (1) Every person who was a member of the fire department at the  
33 time he or she entered and served in the armed forces or uniformed  
34 services of the United States in time of war, whether as a draftee,  
35 or inductee, and who shall have been discharged from such armed  
36 forces or uniformed services under conditions other than  
37 dishonorable, shall have added and accredited to his or her period of  
38 employment as a firefighter his or her period of war or peacetime  
39 service in the armed forces or uniformed services: PROVIDED, That

1 such added and accredited service shall not as to any individual  
2 exceed five years.

3 (2) As used in this section, "uniformed services" includes the  
4 United States public health service commissioned corps and the  
5 national oceanic and atmospheric administration commissioned officer  
6 corps.

7 **Sec. 5.** RCW 41.20.050 and 2024 c 146 s 19 are each amended to  
8 read as follows:

9 (1) Whenever a person has been duly appointed, and has served  
10 honorably for a period of (~~twenty-five~~) 25 years, as a member, in  
11 any capacity, of the regularly constituted police department of a  
12 city subject to the provisions of this chapter, the board, after  
13 hearing, if one is requested in writing, may order and direct that  
14 such person be retired, and the board shall retire any member so  
15 entitled, upon his or her written request therefor. The member so  
16 retired hereafter shall be paid from the fund during his or her  
17 lifetime a pension equal to (~~fifty~~) 50 percent of the amount of  
18 salary at any time hereafter attached to the position held by the  
19 retired member for the year preceding the date of his or her  
20 retirement: PROVIDED, That, except as to a position higher than that  
21 of captain held for at least three calendar years prior to date of  
22 retirement, no such pension shall exceed an amount equivalent to  
23 (~~fifty~~) 50 percent of the salary of captain, and all existing  
24 pensions shall be increased to not less than (~~three hundred~~  
25 ~~dollars~~) \$300 per month as of April 25, 1973: PROVIDED FURTHER, That  
26 a person hereafter retiring who has served as a member for more than  
27 (~~twenty-five~~) 25 years, shall have his or her pension payable under  
28 this section increased by two percent of his or her salary per year  
29 for each full year of such additional service to a maximum of five  
30 additional years.

31 (2) Any person who has served in a position higher than the rank  
32 of captain for a minimum of three years may elect to retire at such  
33 higher position and receive for his or her lifetime a pension equal  
34 to (~~fifty~~) 50 percent of the amount of the salary at any time  
35 hereafter attached to the position held by such retired member for  
36 the year preceding his or her date of retirement: PROVIDED, That such  
37 person make the said election to retire at a higher position by  
38 September 1, 1969 and at the time of making the said election, pay  
39 into the relief and pension fund in addition to the contribution

1 required by RCW 41.20.130: (~~((1)an))~~) (a) An amount equal to six  
2 percent of that portion of all monthly salaries previously received  
3 upon which a sum equal to six percent has not been previously  
4 deducted and paid into the police relief and pension fund; (~~((2))~~)  
5 (b) and such person agrees to continue paying into the police relief  
6 and pension fund until the date of retirement, in addition to the  
7 contributions required by RCW 41.20.130, an amount equal to six  
8 percent of that portion of monthly salary upon which a six percent  
9 contribution is not currently deducted pursuant to RCW 41.20.130.

10 (3) Any person affected by this chapter who at the time of  
11 entering the armed services was a member of such police department  
12 and is an honorably discharged veteran or received a medical  
13 discharge (~~(for physical reasons))~~ with an honorable record and whose  
14 military service was during a period of war as defined in RCW  
15 41.04.005, or at the time of entering the uniformed services was a  
16 member of such police department and has served during a period of  
17 war and received an honorable discharge, is actively serving  
18 honorably, or received a medical discharge with an honorable record,  
19 shall have added to his or her period of employment as computed under  
20 this chapter, his or her period of war service in the armed forces or  
21 uniformed services, but such credited service shall not exceed five  
22 years and such period of service shall be automatically added to each  
23 member's service upon payment by him or her of his or her  
24 contribution for the period of his or her absence at the rate  
25 provided in RCW 41.20.130.

26 (4) As used in this section, "uniformed services" includes the  
27 United States public health service commissioned corps and the  
28 national oceanic and atmospheric administration commissioned officer  
29 corps.

30 **Sec. 6.** RCW 41.40.170 and 2024 c 146 s 20 are each amended to  
31 read as follows:

32 (1) A member who has served or shall serve on active federal  
33 service in the military (~~((or))~~), naval forces, or uniformed services  
34 of the United States and who left or shall leave an employer to enter  
35 such service shall be deemed to be on military leave of absence if he  
36 or she has resumed or shall resume employment as an employee within  
37 one year from termination thereof.

38 (2) If he or she has applied or shall apply for reinstatement of  
39 employment, within one year from termination of the military service,

1 and is refused employment for reasons beyond his or her control, he  
2 or she shall, upon resumption of service within (~~ten~~) 10 years have  
3 such service credited to him or her.

4 (3) In any event, after completing (~~twenty-five~~) 25 years of  
5 creditable service, any member may have service in the armed forces  
6 or uniformed services credited to him or her as a member whether or  
7 not he or she left the employ of an employer to enter the armed  
8 service or uniformed services: PROVIDED, That in no instance,  
9 described in this section, shall military service in excess of five  
10 years be credited: AND PROVIDED FURTHER, That in each instance the  
11 member must restore all withdrawn accumulated contributions, which  
12 restoration must be completed within five years of membership service  
13 following the first resumption of employment or complete (~~twenty-~~  
14 ~~five~~) 25 years of creditable service: AND PROVIDED FURTHER, That  
15 this section will not apply to any individual, not an honorably  
16 discharged veteran or veteran who received a (~~physical~~) medical  
17 discharge from the armed forces or uniformed services with an  
18 honorable record. Furthermore, an individual must prove that their  
19 military service was during a period of war as defined in RCW  
20 41.04.005 or a member of the uniformed services who has served during  
21 a period of war and received an honorable discharge, is actively  
22 serving honorably, or received a medical discharge with an honorable  
23 record.

24 (4) (a) A member, after completing (~~twenty-five~~) 25 years of  
25 creditable service, who would have otherwise become eligible for a  
26 retirement benefit as defined under this chapter while serving  
27 honorably in the armed forces, and with service during a period of  
28 war as referenced in RCW 41.04.005 or uniformed services as described  
29 in subsection (3) of this section, shall, upon application to the  
30 department, be eligible to receive credit for this service without  
31 returning to covered employment.

32 (b) Service credit granted under (a) of this subsection applies  
33 only to honorably discharged veterans or veterans who received a  
34 (~~physical~~) medical discharge with an honorable record whose  
35 military service was during a period of war as defined in RCW  
36 41.04.005 or members of the uniformed services as described in  
37 subsection (3) of this section.

38 (5) The surviving spouse or eligible child or children of a  
39 member who left the employ of an employer to enter the armed forces  
40 or uniformed services of the United States and died while serving in

1 the armed forces or uniformed services may, on behalf of the deceased  
2 member, apply for retirement system service credit under this  
3 subsection up to the date of the member's death in the armed forces  
4 or uniformed services. The department shall establish the deceased  
5 member's service credit if the surviving spouse or eligible child or  
6 children:

7 (a) Provides to the director proof of the member's death while  
8 serving in the armed forces or uniformed services; and

9 (b) Provides to the director proof of the member's honorable  
10 service in the armed forces or uniformed services prior to the date  
11 of death.

12 (6) A member who leaves the employ of an employer to enter the  
13 armed forces or uniformed services of the United States and becomes  
14 totally incapacitated for continued employment by an employer while  
15 serving in the armed forces or uniformed services is entitled to  
16 retirement system service credit under this subsection up to the date  
17 of discharge from the armed forces or uniformed services if:

18 (a) The member obtains a determination from the director that he  
19 or she is totally incapacitated for continued employment due to  
20 conditions or events that occurred while serving in the armed forces  
21 or uniformed services; and

22 (b) The member provides to the director proof of honorable  
23 discharge from the armed forces or uniformed services.

24 (7) As used in this section, "uniformed services" includes the  
25 United States public health service commissioned corps and the  
26 national oceanic and atmospheric administration commissioned officer  
27 corps.

28 **Sec. 7.** RCW 43.24.130 and 2024 c 146 s 21 are each amended to  
29 read as follows:

30 (1) Notwithstanding any provision of law to the contrary, the  
31 license of any person licensed by the director of licensing, or the  
32 boards and commissions listed in chapter 18.235 RCW, to practice a  
33 profession or engage in an occupation, if valid and in force and  
34 effect at the time the licensee entered service in the armed forces,  
35 the United States public health service commissioned corps, the  
36 national oceanic and atmospheric administration commissioned officer  
37 corps, or the merchant marine of the United States, shall continue in  
38 full force and effect so long as such service continues, unless  
39 sooner suspended, canceled, or revoked for cause as provided by law.

1 The director, board, or commission shall renew the license of every  
2 such person who applies for renewal thereof within six months after  
3 being discharged from service with a qualifying discharge as defined  
4 in RCW 73.04.005, upon payment of the renewal fee applicable to the  
5 then current year or other license period.

6 (2) If requested by the licensee, the license of a spouse or  
7 registered domestic partner of a service member in the United States  
8 armed forces, including the United States public health service  
9 commissioned corps and the national oceanic and atmospheric  
10 administration commissioned officer corps, if valid and in force and  
11 effect at the time the service member is deployed or stationed in a  
12 location outside Washington state, must be placed in inactive  
13 military spouse or registered domestic partner status so long as such  
14 service continues, unless sooner suspended, canceled, or revoked for  
15 cause as provided by law. The director, board, or commission shall  
16 return to active status the license of every such person who applies  
17 for activation within six months after returning to Washington state,  
18 upon payment of the current renewal fee and meeting the current  
19 renewal conditions of the respective license.

20 (3) The director, board, or commission may adopt any rules  
21 necessary to implement this section.

22 **Sec. 8.** RCW 41.04.010 and 2024 c 146 s 14 are each amended to  
23 read as follows:

24 (1) In all competitive examinations, unless otherwise provided in  
25 this section, to determine the qualifications of applicants for  
26 public offices, positions, or employment, either the state, and all  
27 of its political subdivisions and all municipal corporations, or  
28 private companies or agencies contracted with by the state to give  
29 the competitive examinations shall give a scoring criteria status to  
30 all veterans as defined in RCW 41.04.007 and members of the uniformed  
31 services as defined in this section, by adding to the passing mark,  
32 grade or rating only, based upon a possible rating of one hundred  
33 points as perfect a percentage in accordance with the following:

34 ~~((1))~~ (a) Ten percent to a veteran or member of the uniformed  
35 services who served during a period of war or in an armed conflict as  
36 defined in RCW 41.04.005 and does not receive military retirement.  
37 The percentage shall be added to the passing mark, grade, or rating  
38 of competitive examinations until the veteran's or uniformed service

1 member's first appointment. The percentage shall not be utilized in  
2 promotional examinations;

3 ~~((2))~~ (b) Five percent to a veteran or member of the uniformed  
4 services who did not serve during a period of war or in an armed  
5 conflict as defined in RCW 41.04.005 or is receiving military  
6 retirement. The percentage shall be added to the passing mark, grade,  
7 or rating of competitive examinations until the veteran's or  
8 uniformed service member's first appointment. The percentage shall  
9 not be utilized in promotional examinations;

10 ~~((3))~~ (c) Five percent to a veteran or member of the uniformed  
11 services who was called to active military service from employment  
12 with the state or any of its political subdivisions or municipal  
13 corporations. The percentage shall be added to promotional  
14 examinations until the first promotion only;

15 ~~((4))~~ (d) All veterans' scoring criteria may be claimed:

16 ~~((a))~~ (i) Upon release from active military service with a  
17 qualifying discharge as defined in RCW 73.04.005; or

18 ~~((b))~~ (ii) Upon receipt of a United States department of  
19 defense discharge document DD form 214, NGB form 22, or their  
20 equivalent or successor discharge paperwork, that characterizes his  
21 or her discharge as a qualifying discharge as defined in RCW  
22 73.04.005.

23 (2) As used in this section, "member of the uniformed services"  
24 or "uniformed services member" means a person serving or who has  
25 served in the United States public health service commissioned corps  
26 or the national oceanic and atmospheric administration commissioned  
27 officer corps who received a qualifying discharge as defined in RCW  
28 73.04.005 or is actively serving honorably.

29 **Sec. 9.** RCW 41.44.030 and 2012 c 117 s 61 are each reenacted and  
30 amended to read as follows:

31 As used in this chapter, unless a different meaning is plainly  
32 required by the context:

33 (1) "Accumulated additional contributions" means the sum of all  
34 "additional contributions" made by a member standing to the credit of  
35 the individual account, together with regular interest thereon.

36 (2) "Accumulated normal contributions" means the sum of all  
37 normal contributions, deducted from the compensation of a member,  
38 standing to the credit of his or her individual account, together  
39 with regular interest thereon.

1 (3) "Actuarial equivalent" means a benefit of equal value when  
2 computed at regular interest upon the basis of such mortality tables  
3 as shall be adopted by the board of trustees.

4 (4) "Additional contributions" means contributions made pursuant  
5 to (~~(subsection (6) of)~~) RCW 41.44.130(6).

6 (5) "Annuity" means payments derived from contributions made by a  
7 member as provided herein.

8 (6) "Beneficiary" means any person in receipt of a pension,  
9 annuity, retirement allowance, disability allowance, or any other  
10 benefit herein.

11 (7) "Board" means the "board of trustees" provided for herein.

12 (8) "City" or "cities" includes town or towns.

13 (9) "Compensation" means the compensation payable in cash, plus  
14 the monetary value, as determined by the board of trustees, of any  
15 allowance in lieu thereof (but for the purposes of this chapter such  
16 "compensation" shall not exceed three hundred dollars per month,  
17 except as to those employees of any member city the legislative body  
18 of which shall not later than July 1, 1953, have irrevocably elected  
19 by resolution or ordinance to increase the limitation herein  
20 contained, effective as to all of its employees, from three hundred  
21 dollars to four hundred dollars, commencing on said date, or which  
22 shall so elect prior to January 1st of any succeeding year, effective  
23 as of January 1st of any such succeeding year, and as to such  
24 employees shall, commencing on the specified date, not exceed four  
25 hundred dollars or an amount equal to such increased limitation  
26 established by such ordinance or resolution per month): PROVIDED  
27 HOWEVER, That the foregoing limitation shall not apply to uniformed  
28 personnel.

29 (10) "Compensation earnable" means the full rate of compensation  
30 that would be payable to an employee if he or she worked the full  
31 normal working time (but for the purposes of this chapter, such  
32 "compensation earnable" shall not exceed three hundred dollars per  
33 month, except as to those employees of any member city the  
34 legislative body of which shall not later than July 1, 1953, have  
35 irrevocably elected by resolution or ordinance to increase the  
36 limitation herein contained, effective as to all of its employees,  
37 from three hundred dollars to four hundred dollars, commencing on  
38 said date, or which shall so elect prior to January 1st of any  
39 succeeding year, effective as of January 1st of any such succeeding  
40 year, and as to such employees shall, commencing on the specified

1 date, not exceed four hundred dollars or an amount equal to such  
2 increased limitation established by such ordinance or resolution per  
3 month): PROVIDED, HOWEVER, That the foregoing limitation shall not  
4 apply to uniformed personnel: PROVIDED FURTHER, That after January 1,  
5 1968, this term shall mean the full rate of compensation payable to  
6 an employee if he or she worked the full normal working time.

7 (11) "Creditable service" means such service as is evidenced by  
8 the record of normal contributions, plus prior service as evidenced  
9 by prior service certificate.

10 (12) "Current service" means service after the employee has  
11 become a member of the system.

12 (13) "Effective date" when used with regard to employees means  
13 the date on which any individual or group of employees became members  
14 of any retirement system and when used with regard to any city or  
15 town shall mean the date on which it became a participant.

16 (14) "Employee" means any appointive officer or employee and  
17 shall include elective officials to the extent specified herein.

18 (15) "Excess interest income" means that interest income earned  
19 and received from investments in excess of the interest income on  
20 investments required to meet actuarial funding requirements.

21 (16) "Final compensation" means the highest average annual  
22 compensation earnable in any five consecutive years of actual service  
23 rendered during the ten years immediately preceding retirement, or  
24 where the employee has less than five consecutive years of actual  
25 service, the earnable compensation for the last five years preceding  
26 his or her retirement.

27 (17) "Fiscal year" means any year commencing with January 1st and  
28 ending with December 31st next following.

29 (18) "Matching contribution" means the contribution of the city  
30 deposited in an amount equal to the normal contributions of the  
31 employee.

32 (19) "Member" means any person included in the membership of the  
33 retirement system as provided herein.

34 (20) "Miscellaneous personnel" means officers and employees other  
35 than those in the uniformed police or fire service: PROVIDED, Those  
36 members of the fire department who are ineligible to the benefits of  
37 a firefighters' pension system established by or pursuant to any  
38 other state law, are also included in the miscellaneous personnel.

1 (21) "Normal contributions" means the contributions at the rate  
2 provided for in RCW 41.44.130, excluding those referred to in  
3 (~~subsection (6)~~) RCW 41.44.130(6).

4 (22) "Part time employees" means those employees who, although  
5 regularly and continuously employed, do not regularly perform their  
6 duties the full number of hours required of other regular employees,  
7 including but not confined to such employees as police judges, city  
8 attorneys, and other officers and employees who are also engaged in  
9 outside employment or occupations.

10 (23) "Pension" means payments derived from contributions made by  
11 the city as provided herein.

12 (24) "Persons having an insurable interest in his or her life"  
13 means and includes only such persons who, because of relationship  
14 from ties of blood or marriage, have reason to expect some benefit  
15 from the continuation of the life of the member.

16 (25) "Prior service" means the service of a member for  
17 compensation rendered a city prior to the effective date and shall  
18 include service in the armed forces of the United States to the  
19 extent specified herein and service specified in RCW 41.44.120(5).

20 (26) "Regular interest" means interest compounded annually at  
21 such rate as shall have been adopted by the board of trustees in  
22 accordance with the provisions of this chapter.

23 (27) "Released matching contributions" means such "matching  
24 contributions" as are no longer held for the benefit of the employee.

25 (28) "Retirement allowance" means the pension plus annuity.

26 (29) "Retirement fund" means "statewide city employees retirement  
27 fund" provided for herein.

28 (30) "Retirement system" means the statewide city employees  
29 retirement system provided for herein.

30 (31) "Service" means service rendered to a city for compensation;  
31 and for the purpose of this chapter a member shall be considered as  
32 being in service only while he or she is receiving compensation from  
33 the city for such service or is on leave granted for service in the  
34 armed forces or uniformed services of the United States as  
35 contemplated in RCW 41.44.120.

36 (32) "Uniformed personnel" means any employee who is a police  
37 officer in service or who is subject to call to active service or  
38 duty as such.

1       (33) "Uniformed services" includes the United States public  
2 health service commissioned corps and the national oceanic and  
3 atmospheric administration commissioned officer corps.

4       **Sec. 10.** RCW 41.44.120 and 2012 c 117 s 65 are each amended to  
5 read as follows:

6       (1) Subject to subsections (4) and (5) of this section the  
7 following members shall be entitled to prior service credit:

8       (a) Each member in service on the effective date.

9       (b) Each member entering after the effective date if such entry  
10 is within one year after rendering service prior to the effective  
11 date.

12       (c) Each member entering in accordance with the provisions and  
13 subject to the conditions and limitations prescribed in subsection  
14 (5) of this section.

15       As soon as practicable, the board shall issue to each member  
16 entitled to prior service credit a certificate certifying the  
17 aggregate length of service rendered prior to the effective date.  
18 Such certificate shall be final and conclusive as to his or her prior  
19 service unless hereafter modified by the board, upon application of  
20 the member.

21       (2) Each city joining the system shall have the privilege of  
22 selecting the rate at which prior service pensions shall be  
23 calculated for its employees and may select any one of the three  
24 rates set forth below:

25       (a) 1.33% of final compensation multiplied by the number of years  
26 of prior service credited to the member. This rate may be referred to  
27 as "full prior service credit."

28       (b) 1.00% of final compensation multiplied by the number of years  
29 of prior service credited to the member. This rate may be referred to  
30 as "full prior service credit."

31       (c) .667% of final compensation multiplied by the number of years  
32 of prior service credited to the member. This rate may be referred to  
33 as "one-half prior service credit."

34       (3) The above rates shall apply at the age of sixty-two or over  
35 for members included in the miscellaneous personnel and at age sixty  
36 or over for members in the uniformed personnel: PROVIDED, That if a  
37 member shall retire before attaining either of the ages above  
38 referred to, the total prior service pension shall be reduced to the

1 percentages computed and established in accordance with the following  
 2 tables, to wit:

3 Miscellaneous Personnel

4 Percent of Full Prior Service Allowable

5 Male Female

6	Age	Factor	Age	Factor
7	45	65.48	45	66.78
8	46	66.86	46	67.91
9	47	68.29	47	69.09
10	48	69.77	48	70.34
11	49	71.28	49	71.67
12	50	72.82	50	73.10
13	51	74.43	51	74.71
14	52	76.13	52	76.41
15	53	77.93	53	78.21
16	54	79.84	54	80.11
17	55	81.86	55	82.12
18	56	84.00	56	84.24
19	57	86.28	57	86.50
20	58	88.69	58	88.89
21	59	91.26	59	91.42
22	60	94.00	60	94.11
23	61	96.90	61	96.96
24	62	100.00	62	100.00

25 Percent of Full Prior Service Allowable

26 Uniformed Personnel

27	Age	Factor
28	45	69.66
29	46	71.13
30	47	72.65
31	48	74.22
32	49	75.83
33	50	77.47
34	51	79.18
35	52	80.99

Percent of Full Prior Service Allowable

Uniformed Personnel

3	53	.....	82.91
4	54	.....	84.93
5	55	.....	87.09
6	56	.....	89.37
7	57	.....	91.79
9	58	.....	94.36
10	59	.....	97.09
11	60	.....	100.00

12 (4) If sickness, injury, or service in the armed forces or  
13 uniformed services of the United States during the national emergency  
14 identified with World War I or World War II and/or service in the  
15 armed forces or uniformed services of the United States of America  
16 for extended active duty by any employee who shall have been  
17 regularly granted a leave of absence from the city service by reason  
18 thereof, prevents any regular employee from being in service on the  
19 effective date, the board shall grant prior service credit to such  
20 person when he or she is again employed. The legislative authority in  
21 each participating city shall specify the amount of prior service to  
22 be granted or current service credit to be made available to such  
23 employees: PROVIDED, That in no case shall such service credit exceed  
24 five years. Certificate of honorable discharge from or documentary  
25 evidence of such service shall be submitted to the board before any  
26 such credit may be granted or made available. Prior or current  
27 service rates, or both, for such employees shall not exceed the rates  
28 established for fellow employees.

29 (5) There shall be granted to any person who was an employee of a  
30 private enterprise or a portion thereof which shall be hereafter  
31 acquired by a city as a matter of public convenience or necessity,  
32 where it is in the public interest to retain the trained personnel of  
33 such enterprise or portion thereof, credit for prior service for the  
34 period such person was actually employed by such private enterprise,  
35 except that this shall apply only to those persons who shall be  
36 employees of such enterprise or portion thereof at the time of its  
37 acquisition by the city and who remain in the service of such city

1 until the effective date of membership of such person under this  
2 chapter.

3 There shall be granted to any person who was an employee of any  
4 state association of cities and towns, which association elects to  
5 participate in the retirement system established by this chapter,  
6 credit for prior service for the period such person was actually  
7 employed by such association, except that this shall apply only to  
8 those persons who shall be employees of such association on May 21,  
9 1971.

10 Credit for such prior service shall be given only if payment for  
11 the additional cost of including such service has been made or if  
12 payment of such additional cost or reimbursement therefor has been  
13 otherwise provided for to the satisfaction of the board or if such  
14 person be entitled to any private pension or retirement benefits as a  
15 result of such service with such private enterprise, credit will be  
16 given only if he or she agrees at the time of his or her employment  
17 by the municipality to accept a reduction in the payment of any  
18 benefits payable under this chapter that are based in whole or in  
19 part on such added and accredited service by the amount of these  
20 private pension or retirement benefits received. The conditions and  
21 limitations provided for in this subsection (5) shall be embodied in  
22 any certificate of prior service issued or granted by the board where  
23 any portion of the prior service credited under this subsection is  
24 included therein.

25 The city may receive payments for these purposes from a third  
26 party and shall make from such payments contributions with respect to  
27 such prior service as may be necessary to enable the fund to assume  
28 its obligations.

29 **Sec. 11.** RCW 73.16.031 and 2001 c 133 s 3 are each amended to  
30 read as follows:

31 The definitions in this section apply throughout this chapter  
32 unless the context clearly requires otherwise.

33 (1) "Attorney general" means the attorney general of the state of  
34 Washington or any person designated by the attorney general to carry  
35 out a responsibility of the attorney general under this chapter.

36 (2) "Benefit," "benefit of employment," or "rights and benefits"  
37 means any advantage, profit, privilege, gain, status, account, or  
38 interest (other than wages or salary for work performed) that accrues  
39 by reason of an employment contract or agreement or an employer

1 policy, plan, or practice and includes rights and benefits under a  
2 pension plan, a health plan, an employee stock ownership plan,  
3 insurance coverage and awards, bonuses, severance pay, supplemental  
4 unemployment benefits, vacations, and the opportunity to select work  
5 hours or location of employment.

6 (3) "Employee" means a person in a position of employment.

7 (4) "Employer" means the person, firm, or corporation, the state,  
8 or any elected or appointed public official currently having control  
9 over the position that has been vacated.

10 (5) "Health plan" means an insurance policy or contract, medical  
11 or hospital service agreement, membership or subscription contract,  
12 or other arrangement under which health services for individuals are  
13 provided or the expenses of such services are paid.

14 (6) "Notice" means any written or verbal notification of an  
15 obligation or intention to perform service in the uniformed services  
16 provided to an employer by the employee who will perform such service  
17 or by the uniformed service in which such service is to be performed.

18 (7) "Position of employment" means any position (other than  
19 temporary) wherein a person is engaged for a private employer,  
20 company, corporation, or the state.

21 (8) "Qualified," with respect to an employment position, means  
22 having the ability to perform the essential tasks of the position.

23 (9) "Rejectee" means a person rejected because he or she is not,  
24 physically or otherwise, qualified to enter the uniformed service.

25 (10) "Resident" means any person residing in the state with the  
26 intent to remain other than on a temporary or transient basis.

27 (11) "Seniority" means longevity in employment together with any  
28 benefits of employment which accrue with, or are determined by,  
29 longevity in employment.

30 (12) "Service in the uniformed services" means the performance of  
31 duty on a voluntary or involuntary basis in a uniformed service under  
32 competent authority and includes active duty, active duty for  
33 training, initial active duty for training, inactive duty training,  
34 full-time national guard duty (including state-ordered active duty),  
35 and a period for which a person is absent from a position of  
36 employment for the purpose of an examination to determine the fitness  
37 of the person to perform any such duty.

38 (13) "State" means the state of Washington, including the  
39 agencies and political subdivisions thereof.

1 (14) "Temporary position" means a position of short duration  
2 which, after being vacated, ceases to exist and wherein the employee  
3 has been advised as to its temporary nature prior to his or her  
4 engagement.

5 (15) "Undue hardship," in the case of actions taken by an  
6 employer, means actions requiring significant difficulty or expense  
7 when considered in light of:

8 (a) The nature and cost of the action needed under this chapter;

9 (b) The overall financial resources of the facility or facilities  
10 involved in the provision of the action; the number of persons  
11 employed at such facility; the effect on expenses and resources; or  
12 the impact otherwise of such action upon the operation of the  
13 facility; and

14 (c) The type of operation or operations of the employer,  
15 including the composition, structure, and functions of the workforce  
16 of such employer, the geographic separateness, administrative, or  
17 fiscal relationship of the facility or facilities in question to the  
18 employer.

19 (16) "Uniformed services" means the armed forces, the army  
20 national guard, and the air national guard of any state, territory,  
21 commonwealth, possession, or district when engaged in active duty for  
22 training, inactive duty training, full-time national guard duty, or  
23 state active duty, the commissioned corps of the public health  
24 service, the national oceanic and atmospheric administration  
25 commissioned officer corps, the coast guard, and any other category  
26 of persons designated by the president of the United States in time  
27 of war or national emergency.

28 **Sec. 12.** RCW 73.16.010 and 2024 c 146 s 33 are each amended to  
29 read as follows:

30 (1) In every public department, and upon all public works of the  
31 state, and of any county thereof, soldiers, sailors, airmen,  
32 guardians, marines and other members of the uniformed services (~~who~~  
33 ~~are veterans of any war of the United States, or of any military~~  
34 ~~campaign for which a campaign ribbon shall have been awarded)) with a  
35 qualifying discharge as defined in ((~~RCW 73.04.005~~)) this section,  
36 and their widows or widowers, shall be preferred for appointment and  
37 employment. Age, loss of limb, or other physical impairment, which  
38 does not in fact incapacitate, shall not be deemed to disqualify  
39 them, provided they possess the capacity necessary to discharge the~~

1 duties of the position involved: (~~PROVIDED, That~~) Spouses of active  
2 duty service members and spouses of veterans with a qualifying  
3 discharge as defined in (~~RCW 73.04.005~~) this section and who have a  
4 service connected permanent and total disability shall also be  
5 preferred for appointment and employment.

6 (2) For purposes of this section:

7 (a) (i) "Qualifying discharge" means:

8 (A) A discharge with an honorable characterization of service;

9 (B) A discharge with a general under honorable conditions  
10 characterization of service; or

11 (C) Any characterization of service if the reason for discharge  
12 was listed as solely due to: (I) An individual's sexual orientation,  
13 gender identity, or gender expression; (II) statements, consensual  
14 sexual conduct, or consensual acts relating to sexual orientation,  
15 gender identity, or gender expression unless the statements, conduct,  
16 or acts are or were prohibited by the uniform code of military  
17 justice on grounds other than the person's sexual orientation, gender  
18 identity, or gender expression; or (III) the disclosure of  
19 statements, conduct, or acts relating to sexual orientation, gender  
20 identity, or gender expression to military officials;

21 (ii) To prove a qualifying discharge, an individual must comply  
22 with RCW 73.04.005(2);

23 (b) "Veteran" has the same meaning as defined in RCW 41.04.005  
24 and 41.04.007, and includes a current member of the national guard or  
25 armed forces reserves who has been deployed to serve in an armed  
26 conflict.

27 **Sec. 13.** RCW 73.16.051 and 2001 c 133 s 7 are each amended to  
28 read as follows:

29 Any person who is entitled to be restored to a position in  
30 accordance with this chapter shall be considered as having been on  
31 furlough or leave of absence, from his or her position of employment,  
32 during his or her period of active military duty or service, or  
33 period of service in any of the other uniformed services, and he or  
34 she shall be so restored without loss of seniority. He or she shall  
35 further be entitled to participate in insurance, vacations,  
36 retirement pay, and other benefits offered by the employer pursuant  
37 to established rules and practices relating to employees on furlough  
38 or leave of absence in effect with the employer at the time such  
39 person was ordered into the service; and he or she shall not be

1 discharged from such position without cause within one year after  
2 restoration.

3 **Sec. 14.** RCW 73.16.110 and 2011 c 144 s 1 are each amended to  
4 read as follows:

5 (1) The legislature intends to establish a permissive preference  
6 in private employment for certain veterans and military spouses.

7 (2) In every private, nonpublic employment in this state,  
8 (~~honorably discharged~~) soldiers, sailors, (~~and~~) marines (~~who are~~  
9 ~~veterans of any war of the United States, or of any military campaign~~  
10 ~~for which a campaign ribbon has been awarded~~), airmen, guardians,  
11 and uniformed service members, with a qualifying discharge as defined  
12 in RCW 73.16.010, and their widows or widowers, may be preferred for  
13 employment. Spouses of (~~honorably discharged~~) active duty service  
14 members and spouses of veterans with a qualifying discharge who have  
15 a service connected permanent and total disability may also be  
16 preferred for employment. These preferences are not considered  
17 violations of any state or local equal employment opportunity law,  
18 including but not limited to any statute or regulation adopted under  
19 chapter 49.60 RCW.

20 (3) "Veteran" has the same meanings as defined in RCW 41.04.005  
21 and 41.04.007, and includes a current member of the national guard or  
22 armed forces reserves who has been deployed to serve in an armed  
23 conflict."

24 Correct the title.

EFFECT: • Specifies that among other criteria, a veteran of the  
armed or uniformed services may be eligible for a service credit  
added to a police pension or Public Employees' Retirement System Plan  
1 pension if the person received a medical discharge with an  
honorable record, instead of a discharge for physical reasons with an  
honorable record.

• Includes airmen in preferential public employment and  
permissive, preferential private employment.

• Defines a qualifying discharge for a veteran's public  
employment preference and a veteran's or spouse's private employment  
preference as: (i) A discharge with an honorable characterization of  
service; (ii) a discharge with a general under honorable conditions  
characterization of service; or (iii) a discharge for any  
characterization of service if the reason for the discharge was  
sexual orientation or gender.

- Defines veteran for a veteran's public employment preference as service in a specified capacity or a current, deployed member of the National Guard or Armed Forces Reserves.

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