

RCW 41.26.436 Transfer of service credit from other retirement system—Firefighter serving at a prison or civil commitment center on an island. (1) A member of plan 2 or plan 3 who was a member of the public employees' retirement system while employed by the department of social and health services or the department of corrections as a firefighter serving at a prison or civil commitment center on an island has the following options:

(a) Remain a member of the public employees' retirement system;

(b) Leave any service credit earned as a member of the public employees' retirement system in the public employees' retirement system, and have all future service earned in the law enforcement officers' and firefighters' retirement system plan 2, becoming a dual member under the provisions of chapter 41.54 RCW; or

(c) Make an election no later than one year from June 7, 2018, filed in writing with the department of retirement systems, to transfer service credit previously earned as a firefighter for the department of corrections or the department of social and health services in the public employees' retirement system plan 2 or plan 3 to the law enforcement officers' and firefighters' retirement system plan 2 as defined in RCW 41.26.030.

(2) (a) A member who elects to transfer service credit under subsection (1) (c) of this section shall make the payments required by this subsection prior to having service credit earned as a firefighter for the department of corrections or the department of social and health service[s] under the public employees' retirement system plan 2 or plan 3 transferred to the law enforcement officers' and firefighters' retirement system plan 2.

(b) (i) A member of plan 2 who elects to transfer service credit under this subsection shall pay, for the applicable period of service, the difference between the contributions the employee paid to the public employees' retirement system plan 2 and the contributions that would have been paid by the employee had the employee been a member of the law enforcement officers' and firefighters' retirement system plan 2.

(ii) A member of plan 3 who elects to transfer service credit under this subsection shall pay, for the applicable period of service, the amount of the contributions that would have been paid by the employee had the employee been a member of the law enforcement officers' and firefighters' [retirement system] plan 2. That payment may be made in whole or in part as a rollover from the plan 3 member's individual member account.

(iii) The payments in (b) (i) and (ii) of this subsection must be made no later than five years from the effective date of the election made under subsection (1) (c) of this section and must be made prior to retirement, except under (d) of this subsection.

(c) Upon completion of the payment required in (b) of this subsection, the department shall transfer from the public employees' retirement system plan 2 or plan 3 to the law enforcement officers' and firefighters' retirement system plan 2:

(i) All of the employee's applicable accumulated contributions plus interest and an equal amount of employer contributions; and

(ii) All service credit earned as a firefighter for the department of corrections or the department of social and health services as a firefighter serving at a prison or civil commitment center on an island as though that service was rendered as a member of

the law enforcement officers' and firefighters' retirement system plan 2.

(d) If a member who elected to transfer pursuant to this section dies or retires for disability prior to five years from their election date, the member's benefit is calculated as follows:

(i) All of the applicable service credit, accumulated contributions, and interest is transferred to the law enforcement officers' and firefighters' retirement system plan 2 and used in the calculation of a benefit.

(ii) If a member's obligation under (b) of this subsection has not been paid in full at the time of death or disability retirement, the member, or in the case of death the surviving spouse or eligible minor children, have the following options:

(A) Pay the bill in full;

(B) If a continuing monthly benefit is chosen, have the benefit actuarially reduced to reflect the amount of the unpaid obligation under (b) of this subsection; or

(C) Continue to make payment against the obligation under (b) of this subsection, provided that payment in full is made no later than five years from the member's original election date.

(e) Upon transfer of service credit, contributions, and interest under this subsection, the employee is permanently excluded from membership in the public employees' retirement system for all service transfers related to their time served as a firefighter for the department of corrections or the department of social and health services serving at a prison or civil commitment center located on an island under the public employees' retirement system. [2018 c 230 § 2.]