

1 **ESB 6380 - H AMD Adopted 3-8-02 0483**

2 By Representative ____

3 On page 2, line 21, after "(5)" insert "If a surviving spouse
4 receiving benefits under this section remarries after the effective
5 date of this act, the surviving spouse shall continue to receive the
6 benefits under this section.

7 (6)"

8 On page 2, line 26, strike "(6)" and insert "~~((6))~~ (7)"

9 On page 3, line 37, after "(5)" insert "If a surviving spouse
10 receiving benefits under this section remarries after the effective
11 date of this act, the surviving spouse shall continue to receive the
12 benefits under this section.

13 (6)"

14 On page 4, line 3, strike "(6)" and insert "~~((6))~~ (7)"

15 On page 4 after line 34, insert the following:

16 (3)(a) An ex spouse of a law enforcement officers' and fire
17 fighters' retirement system plan 1 member with at least thirty years of
18 service who:

19 (i) Divorced the member after being married to the member for at
20 least twenty-five years; and

21 (ii) Entered into a court order or court-approved property
22 settlement agreement incident to the divorce that awarded a portion of
23 the member's benefits to the ex spouse after the effective date of this
24 act;

25 shall continue to receive that portion of the member's benefit after
26 the member's death as if the member was still alive.

27 (b) This subsection shall apply only to a divorce entered into
28 after January 1, 1997. However, no payments shall be made to an ex
29 spouse of a deceased member qualifying under this subsection for any
30 period prior to the effective date of this section.-

1 On page 8, line 15, after cease.-, insert the following:

2 The department's obligation to provide direct payment to a
3 nonmember ex spouse qualifying for a continued split benefit payment
4 under RCW 41.26.162(3) shall continue for the life of that nonmember ex
5 spouse.-

EFFECT: Makes two changes:

- 1) Allows persons who became surviving spouses prior to 1977 to remarry without losing their survivor benefits. This is consistent with current practice with regard to persons who became surviving spouses after 1977.
- 2) Changes the LEOFF 1 portion of the striking amendment, extending the policy in the bill passed out of committee regarding continuation of split benefits after the death of the member. Criteria for continuation are as follows: the marriage lasted 25 years or more, the member had at least 30 years of service, and the divorce occurred on or after January 1, 1997.

All other sections and retirement systems are unaffected.