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**SUBSTITUTE HOUSE BILL 2395**

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**State of Washington**

**57th Legislature**

**2002 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Doumit, Alexander, Cooper, Conway, Delvin, Dickerson, Ogden, Rockefeller, Linville, Talcott, Hunt, Lovick, Lysen, Kagi, McIntire, Haigh, Simpson, Chase and Jackley; by request of Joint Committee on Pension Policy)

Read first time 02/05/2002. Referred to Committee on .

1 AN ACT Relating to providing a death benefit for certain state  
2 employees; adding a new section to chapter 41.40 RCW; adding a new  
3 section to chapter 41.32 RCW; adding a new section to chapter 41.35  
4 RCW; and adding a new section to chapter 41.04 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.40 RCW  
7 under the subchapter heading "provisions applicable to plan 1, plan 2,  
8 and plan 3" to read as follows:

9 (1) A one hundred fifty thousand dollar death benefit shall be paid  
10 to the member's estate, or such person or persons, trust or  
11 organization as the member has nominated by written designation duly  
12 executed and filed with the department. If no such designated person  
13 or persons are still living at the time of the member's death, the  
14 member's death benefit shall be paid to the member's surviving spouse  
15 as if in fact the spouse had been nominated by written designation, or  
16 if there is no surviving spouse, then to the member's legal  
17 representatives.

18 (2) The benefit under this section shall be paid only where death  
19 occurs as a result of injuries sustained in the course of employment.

1 The determination of eligibility for the benefit shall be made  
2 consistent with Title 51 RCW by the department of labor and industries.  
3 The department of labor and industries shall notify the department of  
4 retirement systems by order under RCW 51.52.050.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.32 RCW  
6 under the subchapter heading "provisions applicable to plan 1, plan 2,  
7 and plan 3" to read as follows:

8 (1) A one hundred fifty thousand dollar death benefit shall be paid  
9 to the member's estate, or such person or persons, trust or  
10 organization as the member has nominated by written designation duly  
11 executed and filed with the department. If no such designated person  
12 or persons are still living at the time of the member's death, the  
13 member's death benefit shall be paid to the member's surviving spouse  
14 as if in fact the spouse had been nominated by written designation, or  
15 if there is no surviving spouse, then to the member's legal  
16 representatives.

17 (2) The benefit under this section shall be paid only where death  
18 occurs as a result of injuries sustained in the course of employment.  
19 The determination of eligibility for the benefit shall be made  
20 consistent with Title 51 RCW by the department of labor and industries.  
21 The department of labor and industries shall notify the department of  
22 retirement systems by order under RCW 51.52.050.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.35 RCW  
24 under the subchapter heading "provisions applicable to plan 2 and plan  
25 3" to read as follows:

26 (1) A one hundred fifty thousand dollar death benefit shall be paid  
27 to the member's estate, or such person or persons, trust or  
28 organization as the member has nominated by written designation duly  
29 executed and filed with the department. If no such designated person  
30 or persons are still living at the time of the member's death, the  
31 member's death benefit shall be paid to the member's surviving spouse  
32 as if in fact the spouse had been nominated by written designation, or  
33 if there is no surviving spouse, then to the member's legal  
34 representatives.

35 (2) The benefit under this section shall be paid only where death  
36 occurs as a result of injuries sustained in the course of employment.  
37 The determination of eligibility for the benefit shall be made

1 consistent with Title 51 RCW by the department of labor and industries.  
2 The department of labor and industries shall notify the department of  
3 retirement systems by order under RCW 51.52.050.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 41.04 RCW  
5 to read as follows:

6 A one hundred fifty thousand dollar death benefit shall be paid as  
7 a sundry claim to the estate of an employee of any state agency, the  
8 common school system of the state, or institution of higher education  
9 who dies as a result of injuries sustained in the course of employment  
10 and is not otherwise provided a death benefit through coverage under  
11 their enrolled retirement system. The determination of eligibility for  
12 the benefit shall be made consistent with Title 51 RCW by the  
13 department of labor and industries. The department of labor and  
14 industries shall notify the director of the department of general  
15 administration by order under RCW 51.52.050.

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