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ENGROSSED SENATE BILL 5159

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State of Washington

62nd Legislature

2012 Regular Session

By Senators Schoesler, Conway, Fain, Holmquist Newbry, Carrell, Murray, Becker, Haugen, Hobbs, Pridemore, Rockefeller, Roach, McAuliffe, and Kilmer; by request of Select Committee on Pension Policy

Read first time 01/17/11. Referred to Committee on Transportation.

1 AN ACT Relating to transferring service credit and contributions  
2 into the Washington state patrol retirement system by members who  
3 served as commercial vehicle enforcement officers and communications  
4 officers and then became commissioned troopers in the Washington state  
5 patrol; and adding a new section to chapter 41.40 RCW.

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

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

9 (1) Active members of the Washington state patrol retirement system  
10 who have previously established service credit in the public employees'  
11 retirement system plan 2 while employed in the state patrol as either  
12 (a) a commercial vehicle enforcement officer who then became a  
13 commissioned officer on or before July 16, 2000, or (b) a  
14 communications officer who then became a commissioned officer, have the  
15 following options:

16 (i) Remain a member of the public employees' retirement system; or  
17 (ii) Transfer service credit earned under the retirement system as  
18 a communications officer or commercial vehicle enforcement officer to  
19 the Washington state patrol retirement system by making an irrevocable

1 choice filed in writing with the department of retirement systems  
2 within one year of the department's announcement of the ability to make  
3 such a transfer.

4 (2)(a) Any commissioned officer choosing to transfer under this  
5 section shall have transferred from the retirement system to the  
6 Washington state patrol retirement system:

7 (i) All the employee's applicable accumulated contributions plus  
8 interest, and an equal amount of employer contributions attributed to  
9 that employee; and

10 (ii) All applicable months of service as a communications officer  
11 or commercial vehicle enforcement officer credited to the employee  
12 under this chapter as though that service was rendered as a member of  
13 the Washington state patrol retirement system.

14 (b) For the applicable period of service, the employee shall pay:

15 (i) The difference between the contributions the employee paid to  
16 the retirement system and the contributions that would have been paid  
17 by the employee had the employee been a member of the Washington state  
18 patrol retirement system, plus interest as determined by the director.  
19 This payment shall be made no later than December 31, 2019, or the date  
20 of retirement, whichever comes first;

21 (ii) The difference between the employer contributions paid to the  
22 public employees' retirement system, and the employer contributions  
23 that would have been payable to the Washington state patrol retirement  
24 system; and

25 (iii) An amount sufficient to ensure that the funding status of the  
26 Washington state patrol retirement system will not change due to this  
27 transfer.

28 (c) If the payment required by this subsection is not paid in full  
29 by the deadline, the transferred service credit shall not be used to  
30 determine eligibility for benefits nor to calculate benefits under the  
31 Washington state patrol retirement system. In such a case, the  
32 employee's accumulated contributions plus interest transferred under  
33 this subsection, and any payments made under this subsection, shall be  
34 refunded to the employee. The employer shall be entitled to a credit  
35 for the employer contributions transferred under this subsection.

36 (d) An individual who transfers service credit and contributions  
37 under this subsection is permanently excluded from the public

1 employees' retirement system for all service as a communications  
2 officer or commercial vehicle enforcement officer.

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