

Effective date.

SEC. 27. This act is necessary for the immediate preservation of the public peace, health and safety, and for the support of the state government and its existing public institutions, and shall take effect as of April 1, 1953.

Passed the Senate March 11, 1953.

Passed the House March 10, 1953.

Approved by the Governor March 19, 1953.

CHAPTER 201.

[ H. B. 223. ]

STATE EMPLOYEES' RETIREMENT—ACCUMULATED CONTRIBUTIONS—OPTIONAL ALLOWANCES.

AN ACT relating to the state employees' retirement system, amending sections 41.40.270 and 41.40.290, RCW, and declaring an emergency.

*Be it enacted by the Legislature of the State of Washington:*

Amendment.

SECTION 1. Section 41.40.270, RCW, as derived from section 28, chapter 274, Laws of 1947, as last amended by section 1, chapter 141, Laws of 1951, is amended to read as follows:

Death before retirement date; accumulated contributions payable to whom.

Should a member die before the date of his retirement the amount of the accumulated contributions standing to his credit in the employees' savings fund, at the time of his death, shall be paid to such person or persons, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representatives: *Provided*, That this section, unless elected, shall not apply to any member who shall have heretofore died or who shall hereafter die while still in service at an attained age of sixty years or more as provided for

Deceased member 60 years old or more.

in RCW 41.40.290 when said member has elected option II or has a surviving spouse.

Note: This section also amended by section 14, chapter 200, *supra*.

SEC. 2. Section 41.40.290, RCW, as derived from section 20, chapter 240, Laws of 1949, as last amended by section 1, chapter 10, Laws of 1951, second extraordinary session, is amended to read as follows: Amendment.

Except as provided by RCW 41.40.250, any member may elect, in accordance with the provisions of this section and in lieu of a regular retirement allowance payable throughout life with termination at death, to receive as an optional retirement allowance the actuarial equivalent, at the time of his retirement, of his regular retirement allowance in accordance with the provisions of options I, II, and III, as hereinafter set forth: *Provided*, That any member who, after June 6, 1951, and prior to December 1, 1951, attempted to make an election of option but which election was invalid under laws then in force either because of failure (1) to file written election of option within twelve months before date of his retirement, or (2) to pass a satisfactory health examination at the time of making such election, shall nevertheless be deemed to have made a valid election of option. No election of an optional retirement allowance shall be effective in case the member making such election dies before his actual retirement date: *Provided, however*, That any option selected in writing by any member who shall have heretofore died or who shall hereafter die while still in service at an attained age of seventy years or more shall be effective and in any such case if no such option shall have been selected, then option II shall automatically be given effect as if in fact selected for the benefit of the surviving spouse, unless such spouse shall elect to take payment under RCW 41.40.270: *Provided further*, That any member who shall hereafter die while still in service at an attained age of sixty years and not more than seventy years and

Election of optional allowances; authorized.

Prior elections validated.

Death of elector prior to retirement date.

Death of member 70 years old or more.

Death of member between 60 and 70 years old.

Death of member of 30 or more years service.

who has fifteen or more years of total service or ten or more years of membership service, or who has thirty or more years of total service regardless of age shall have option II automatically given effect as if in fact selected for the benefit of the surviving spouse, unless such spouse shall elect to take payment under RCW 41.40.270.

Option I.

Option I. If he dies before the total of the annuity portions of the retirement allowance paid to him equals the amount of his accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representatives; or

Option II.

Option II. Upon his death his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement; or

Option III.

Option III. Upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement.

Note: This section also amended by section 15, chapter 200, *supra*.

Emergency.

SEC. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 26, 1953.

Passed the Senate March 8, 1953.

Approved by the Governor March 19, 1953.