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SENATE BILL 5651

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State of Washington

63rd Legislature

2013 Regular Session

By Senators McAuliffe, Conway, Keiser, Hatfield, Hobbs, and Hasegawa

1 AN ACT Relating to postretirement employment; and amending RCW  
2 41.32.765, 41.32.875, 41.35.420, 41.35.680, 41.40.630, and 41.40.820.

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

4 **Sec. 1.** RCW 41.32.765 and 2012 1st sp.s. c 7 s 1 are each amended  
5 to read as follows:

6 (1) NORMAL RETIREMENT. Any member with at least five service  
7 credit years of service who has attained at least age sixty-five shall  
8 be eligible to retire and to receive a retirement allowance computed  
9 according to the provisions of RCW 41.32.760.

10 (2) EARLY RETIREMENT. Any member who has completed at least twenty  
11 service credit years of service who has attained at least age fifty-  
12 five shall be eligible to retire and to receive a retirement allowance  
13 computed according to the provisions of RCW 41.32.760, except that a  
14 member retiring pursuant to this subsection shall have the retirement  
15 allowance actuarially reduced to reflect the difference in the number  
16 of years between age at retirement and the attainment of age sixty-  
17 five.

18 (3) ALTERNATE EARLY RETIREMENT.

1 (a) Any member who has completed at least thirty service credit  
2 years and has attained age fifty-five shall be eligible to retire and  
3 to receive a retirement allowance computed according to the provisions  
4 of RCW 41.32.760, except that a member retiring pursuant to this  
5 subsection shall have the retirement allowance reduced by three percent  
6 per year to reflect the difference in the number of years between age  
7 at retirement and the attainment of age sixty-five.

8 (b) On or after September 1, 2008, any member who has completed at  
9 least thirty service credit years and has attained age fifty-five shall  
10 be eligible to retire and to receive a retirement allowance computed  
11 according to the provisions of RCW 41.32.760, except that a member  
12 retiring pursuant to this subsection shall have the retirement  
13 allowance reduced as follows:

14	Retirement	Percent
15	Age	Reduction
16	55	20%
17	56	17%
18	57	14%
19	58	11%
20	59	8%
21	60	5%
22	61	2%
23	62	0%
24	63	0%
25	64	0%

26 (~~Any member who retires under the provisions of this subsection is~~  
27 ~~ineligible for the postretirement employment provisions of RCW~~  
28 ~~41.32.802(2) until the retired member has reached sixty five years of~~  
29 ~~age. For purposes of this subsection, employment with an employer also~~  
30 ~~includes any personal service contract, service by an employer as a~~  
31 ~~temporary or project employee, or any other similar compensated~~  
32 ~~relationship with any employer included under the provisions of RCW~~  
33 ~~41.32.800(1).)~~)

34 The subsidized reductions for alternate early retirement in this  
35 subsection as set forth in section 2, chapter 491, Laws of 2007 were

1 intended by the legislature as replacement benefits for gain-sharing.  
2 Until there is legal certainty with respect to the repeal of chapter  
3 41.31A RCW, the right to retire under this subsection is  
4 noncontractual, and the legislature reserves the right to amend or  
5 repeal this subsection. Legal certainty includes, but is not limited  
6 to, the expiration of any: Applicable limitations on actions; and  
7 periods of time for seeking appellate review, up to and including  
8 reconsideration by the Washington supreme court and the supreme court  
9 of the United States. Until that time, eligible members may still  
10 retire under this subsection, and upon receipt of the first installment  
11 of a retirement allowance computed under this subsection, the resulting  
12 benefit becomes contractual for the recipient. If the repeal of  
13 chapter 41.31A RCW is held to be invalid in a final determination of a  
14 court of law, and the court orders reinstatement of gain-sharing or  
15 other alternate benefits as a remedy, then retirement benefits for any  
16 member who has completed at least thirty service credit years and has  
17 attained age fifty-five but has not yet received the first installment  
18 of a retirement allowance under this subsection shall be computed using  
19 the reductions in (a) of this subsection.

20 (c) Members who first become employed by an employer in an eligible  
21 position on or after May 1, 2013, are not eligible for the alternate  
22 early retirement provisions of (a) or (b) of this subsection. Any  
23 member who first becomes employed by an employer in an eligible  
24 position on or after May 1, 2013, and has completed at least thirty  
25 service credit years and has attained age fifty-five shall be eligible  
26 to retire and to receive a retirement allowance computed according to  
27 the provisions of RCW 41.32.760, except that a member retiring pursuant  
28 to this subsection shall have the retirement allowance reduced by five  
29 percent per year to reflect the difference in the number of years  
30 between age at retirement and the attainment of age sixty-five.

31 **Sec. 2.** RCW 41.32.875 and 2012 1st sp.s. c 7 s 2 are each amended  
32 to read as follows:

33 (1) NORMAL RETIREMENT. Any member who is at least age sixty-five  
34 and who has:

35 (a) Completed ten service credit years; or

36 (b) Completed five service credit years, including twelve service  
37 credit months after attaining age forty-four; or

1 (c) Completed five service credit years by July 1, 1996, under plan  
2 2 and who transferred to plan 3 under RCW 41.32.817;  
3 shall be eligible to retire and to receive a retirement allowance  
4 computed according to the provisions of RCW 41.32.840.

5 (2) EARLY RETIREMENT. Any member who has attained at least age  
6 fifty-five and has completed at least ten years of service shall be  
7 eligible to retire and to receive a retirement allowance computed  
8 according to the provisions of RCW 41.32.840, except that a member  
9 retiring pursuant to this subsection shall have the retirement  
10 allowance actuarially reduced to reflect the difference in the number  
11 of years between age at retirement and the attainment of age sixty-  
12 five.

13 (3) ALTERNATE EARLY RETIREMENT.

14 (a) Any member who has completed at least thirty service credit  
15 years and has attained age fifty-five shall be eligible to retire and  
16 to receive a retirement allowance computed according to the provisions  
17 of RCW 41.32.840, except that a member retiring pursuant to this  
18 subsection shall have the retirement allowance reduced by three percent  
19 per year to reflect the difference in the number of years between age  
20 at retirement and the attainment of age sixty-five.

21 (b) On or after September 1, 2008, any member who has completed at  
22 least thirty service credit years and has attained age fifty-five shall  
23 be eligible to retire and to receive a retirement allowance computed  
24 according to the provisions of RCW 41.32.840, except that a member  
25 retiring pursuant to this subsection shall have the retirement  
26 allowance reduced as follows:

Retirement	Percent
Age	Reduction
55	20%
56	17%
57	14%
58	11%
59	8%
60	5%
61	2%
62	0%

1 63 0%

2 64 0%

3 ~~((Any member who retires under the provisions of this subsection is~~  
4 ~~ineligible for the postretirement employment provisions of RCW~~  
5 ~~41.32.862(2) until the retired member has reached sixty five years of~~  
6 ~~age. For purposes of this subsection, employment with an employer also~~  
7 ~~includes any personal service contract, service by an employer as a~~  
8 ~~temporary or project employee, or any other similar compensated~~  
9 ~~relationship with any employer included under the provisions of RCW~~  
10 ~~41.32.860(1).))~~

11 The subsidized reductions for alternate early retirement in this  
12 subsection as set forth in section 4, chapter 491, Laws of 2007 were  
13 intended by the legislature as replacement benefits for gain-sharing.  
14 Until there is legal certainty with respect to the repeal of chapter  
15 41.31A RCW, the right to retire under this subsection is  
16 noncontractual, and the legislature reserves the right to amend or  
17 repeal this subsection. Legal certainty includes, but is not limited  
18 to, the expiration of any: Applicable limitations on actions; and  
19 periods of time for seeking appellate review, up to and including  
20 reconsideration by the Washington supreme court and the supreme court  
21 of the United States. Until that time, eligible members may still  
22 retire under this subsection, and upon receipt of the first installment  
23 of a retirement allowance computed under this subsection, the resulting  
24 benefit becomes contractual for the recipient. If the repeal of  
25 chapter 41.31A RCW is held to be invalid in a final determination of a  
26 court of law, and the court orders reinstatement of gain-sharing or  
27 other alternate benefits as a remedy, then retirement benefits for any  
28 member who has completed at least thirty service credit years and has  
29 attained age fifty-five but has not yet received the first installment  
30 of a retirement allowance under this subsection shall be computed using  
31 the reductions in (a) of this subsection.

32 (c) Members who first become employed by an employer in an eligible  
33 position on or after May 1, 2013, are not eligible for the alternate  
34 early retirement provisions of (a) or (b) of this subsection. Any  
35 member who first becomes employed by an employer in an eligible  
36 position on or after May 1, 2013, and has completed at least thirty  
37 service credit years and has attained age fifty-five shall be eligible

1 to retire and to receive a retirement allowance computed according to  
2 the provisions of RCW 41.32.840, except that a member retiring pursuant  
3 to this subsection shall have the retirement allowance reduced by five  
4 percent per year to reflect the difference in the number of years  
5 between age at retirement and the attainment of age sixty-five.

6 **Sec. 3.** RCW 41.35.420 and 2012 1st sp.s. c 7 s 3 are each amended  
7 to read as follows:

8 (1) NORMAL RETIREMENT. Any member with at least five service  
9 credit years who has attained at least age sixty-five shall be eligible  
10 to retire and to receive a retirement allowance computed according to  
11 the provisions of RCW 41.35.400.

12 (2) EARLY RETIREMENT. Any member who has completed at least twenty  
13 service credit years and has attained age fifty-five shall be eligible  
14 to retire and to receive a retirement allowance computed according to  
15 the provisions of RCW 41.35.400, except that a member retiring pursuant  
16 to this subsection shall have the retirement allowance actuarially  
17 reduced to reflect the difference in the number of years between age at  
18 retirement and the attainment of age sixty-five.

19 (3) ALTERNATE EARLY RETIREMENT.

20 (a) Any member who has completed at least thirty service credit  
21 years and has attained age fifty-five shall be eligible to retire and  
22 to receive a retirement allowance computed according to the provisions  
23 of RCW 41.35.400, except that a member retiring pursuant to this  
24 subsection shall have the retirement allowance reduced by three percent  
25 per year to reflect the difference in the number of years between age  
26 at retirement and the attainment of age sixty-five.

27 (b) On or after September 1, 2008, any member who has completed at  
28 least thirty service credit years and has attained age fifty-five shall  
29 be eligible to retire and to receive a retirement allowance computed  
30 according to the provisions of RCW 41.35.400, except that a member  
31 retiring pursuant to this subsection shall have the retirement  
32 allowance reduced as follows:

33	Retirement	Percent
34	Age	Reduction
35	55	20%

1	56	17%
2	57	14%
3	58	11%
4	59	8%
5	60	5%
6	61	2%
7	62	0%
8	63	0%
9	64	0%

10       (~~Any member who retires under the provisions of this subsection is~~  
11 ~~ineligible for the postretirement employment provisions of RCW~~  
12 ~~41.35.060(2) until the retired member has reached sixty five years of~~  
13 ~~age. For purposes of this subsection, employment with an employer also~~  
14 ~~includes any personal service contract, service by an employer as a~~  
15 ~~temporary or project employee, or any other similar compensated~~  
16 ~~relationship with any employer included under the provisions of RCW~~  
17 ~~41.35.230(1).)~~)

18       The subsidized reductions for alternate early retirement in this  
19 subsection as set forth in section 6, chapter 491, Laws of 2007 were  
20 intended by the legislature as replacement benefits for gain-sharing.  
21 Until there is legal certainty with respect to the repeal of chapter  
22 41.31A RCW, the right to retire under this subsection is  
23 noncontractual, and the legislature reserves the right to amend or  
24 repeal this subsection. Legal certainty includes, but is not limited  
25 to, the expiration of any: Applicable limitations on actions; and  
26 periods of time for seeking appellate review, up to and including  
27 reconsideration by the Washington supreme court and the supreme court  
28 of the United States. Until that time, eligible members may still  
29 retire under this subsection, and upon receipt of the first installment  
30 of a retirement allowance computed under this subsection, the resulting  
31 benefit becomes contractual for the recipient. If the repeal of  
32 chapter 41.31A RCW is held to be invalid in a final determination of a  
33 court of law, and the court orders reinstatement of gain-sharing or  
34 other alternate benefits as a remedy, then retirement benefits for any  
35 member who has completed at least thirty service credit years and has  
36 attained age fifty-five but has not yet received the first installment

1 of a retirement allowance under this subsection shall be computed using  
2 the reductions in (a) of this subsection.

3 (c) Members who first become employed by an employer in an eligible  
4 position on or after May 1, 2013, are not eligible for the alternate  
5 early retirement provisions of (a) or (b) of this subsection. Any  
6 member who first becomes employed by an employer in an eligible  
7 position on or after May 1, 2013, and has completed at least thirty  
8 service credit years and has attained age fifty-five shall be eligible  
9 to retire and to receive a retirement allowance computed according to  
10 the provisions of RCW 41.35.400, except that a member retiring pursuant  
11 to this subsection shall have the retirement allowance reduced by five  
12 percent per year to reflect the difference in the number of years  
13 between age at retirement and the attainment of age sixty-five.

14 **Sec. 4.** RCW 41.35.680 and 2012 1st sp.s. c 7 s 4 are each amended  
15 to read as follows:

16 (1) NORMAL RETIREMENT. Any member who is at least age sixty-five  
17 and who has:

18 (a) Completed ten service credit years; or

19 (b) Completed five service credit years, including twelve service  
20 credit months after attaining age forty-four; or

21 (c) Completed five service credit years by September 1, 2000, under  
22 the public employees' retirement system plan 2 and who transferred to  
23 plan 3 under RCW 41.35.510;

24 shall be eligible to retire and to receive a retirement allowance  
25 computed according to the provisions of RCW 41.35.620.

26 (2) EARLY RETIREMENT. Any member who has attained at least age  
27 fifty-five and has completed at least ten years of service shall be  
28 eligible to retire and to receive a retirement allowance computed  
29 according to the provisions of RCW 41.35.620, except that a member  
30 retiring pursuant to this subsection shall have the retirement  
31 allowance actuarially reduced to reflect the difference in the number  
32 of years between age at retirement and the attainment of age sixty-  
33 five.

34 (3) ALTERNATE EARLY RETIREMENT.

35 (a) Any member who has completed at least thirty service credit  
36 years and has attained age fifty-five shall be eligible to retire and  
37 to receive a retirement allowance computed according to the provisions



1 of RCW 41.35.620, except that a member retiring pursuant to this  
2 subsection shall have the retirement allowance reduced by three percent  
3 per year to reflect the difference in the number of years between age  
4 at retirement and the attainment of age sixty-five.

5 (b) On or after September 1, 2008, any member who has completed at  
6 least thirty service credit years and has attained age fifty-five shall  
7 be eligible to retire and to receive a retirement allowance computed  
8 according to the provisions of RCW 41.35.620, except that a member  
9 retiring pursuant to this subsection shall have the retirement  
10 allowance reduced as follows:

11	Retirement	Percent
12	Age	Reduction
13	55	20%
14	56	17%
15	57	14%
16	58	11%
17	59	8%
18	60	5%
19	61	2%
20	62	0%
21	63	0%
22	64	0%

23 ~~((Any member who retires under the provisions of this subsection is~~  
24 ~~ineligible for the postretirement employment provisions of RCW~~  
25 ~~41.35.060(2) until the retired member has reached sixty five years of~~  
26 ~~age. For purposes of this subsection, employment with an employer also~~  
27 ~~includes any personal service contract, service by an employer as a~~  
28 ~~temporary or project employee, or any other similar compensated~~  
29 ~~relationship with any employer included under the provisions of RCW~~  
30 ~~41.35.230(1).))~~

31 The subsidized reductions for alternate early retirement in this  
32 subsection as set forth in section 8, chapter 491, Laws of 2007 were  
33 intended by the legislature as replacement benefits for gain-sharing.  
34 Until there is legal certainty with respect to the repeal of chapter  
35 41.31A RCW, the right to retire under this subsection is

1 noncontractual, and the legislature reserves the right to amend or  
2 repeal this subsection. Legal certainty includes, but is not limited  
3 to, the expiration of any: Applicable limitations on actions; and  
4 periods of time for seeking appellate review, up to and including  
5 reconsideration by the Washington supreme court and the supreme court  
6 of the United States. Until that time, eligible members may still  
7 retire under this subsection, and upon receipt of the first installment  
8 of a retirement allowance computed under this subsection, the resulting  
9 benefit becomes contractual for the recipient. If the repeal of  
10 chapter 41.31A RCW is held to be invalid in a final determination of a  
11 court of law, and the court orders reinstatement of gain-sharing or  
12 other alternate benefits as a remedy, then retirement benefits for any  
13 member who has completed at least thirty service credit years and has  
14 attained age fifty-five but has not yet received the first installment  
15 of a retirement allowance under this subsection shall be computed using  
16 the reductions in (a) of this subsection.

17 (c) Members who first become employed by an employer in an eligible  
18 position on or after May 1, 2013, are not eligible for the alternate  
19 early retirement provisions of (a) or (b) of this subsection. Any  
20 member who first becomes employed by an employer in an eligible  
21 position on or after May 1, 2013, and has completed at least thirty  
22 service credit years and has attained age fifty-five shall be eligible  
23 to retire and to receive a retirement allowance computed according to  
24 the provisions of RCW 41.35.620, except that a member retiring pursuant  
25 to this subsection shall have the retirement allowance reduced by five  
26 percent per year to reflect the difference in the number of years  
27 between age at retirement and the attainment of age sixty-five.

28 **Sec. 5.** RCW 41.40.630 and 2012 1st sp.s. c 7 s 5 are each amended  
29 to read as follows:

30 (1) NORMAL RETIREMENT. Any member with at least five service  
31 credit years who has attained at least age sixty-five shall be eligible  
32 to retire and to receive a retirement allowance computed according to  
33 the provisions of RCW 41.40.620.

34 (2) EARLY RETIREMENT. Any member who has completed at least twenty  
35 service credit years and has attained age fifty-five shall be eligible  
36 to retire and to receive a retirement allowance computed according to  
37 the provisions of RCW 41.40.620, except that a member retiring pursuant

1 to this subsection shall have the retirement allowance actuarially  
2 reduced to reflect the difference in the number of years between age at  
3 retirement and the attainment of age sixty-five.

4 (3) ALTERNATE EARLY RETIREMENT.

5 (a) Any member who has completed at least thirty service credit  
6 years and has attained age fifty-five shall be eligible to retire and  
7 to receive a retirement allowance computed according to the provisions  
8 of RCW 41.40.620, except that a member retiring pursuant to this  
9 subsection shall have the retirement allowance reduced by three percent  
10 per year to reflect the difference in the number of years between age  
11 at retirement and the attainment of age sixty-five.

12 (b) On or after July 1, 2008, any member who has completed at least  
13 thirty service credit years and has attained age fifty-five shall be  
14 eligible to retire and to receive a retirement allowance computed  
15 according to the provisions of RCW 41.40.620, except that a member  
16 retiring pursuant to this subsection shall have the retirement  
17 allowance reduced as follows:

18	Retirement	Percent
19	Age	Reduction
20	55	20%
21	56	17%
22	57	14%
23	58	11%
24	59	8%
25	60	5%
26	61	2%
27	62	0%
28	63	0%
29	64	0%

30 ~~((Any member who retires under the provisions of this subsection is~~  
31 ~~ineligible for the postretirement employment provisions of RCW~~  
32 ~~41.40.037(2)(d) until the retired member has reached sixty five years~~  
33 ~~of age. For purposes of this subsection, employment with an employer~~  
34 ~~also includes any personal service contract, service by an employer as~~

1 ~~a temporary or project employee, or any other similar compensated~~  
2 ~~relationship with any employer included under the provisions of RCW~~  
3 ~~41.40.690(1).)~~

4 The subsidized reductions for alternate early retirement in this  
5 subsection as set forth in section 9, chapter 491, Laws of 2007 were  
6 intended by the legislature as replacement benefits for gain-sharing.  
7 Until there is legal certainty with respect to the repeal of chapter  
8 41.31A RCW, the right to retire under this subsection is  
9 noncontractual, and the legislature reserves the right to amend or  
10 repeal this subsection. Legal certainty includes, but is not limited  
11 to, the expiration of any: Applicable limitations on actions; and  
12 periods of time for seeking appellate review, up to and including  
13 reconsideration by the Washington supreme court and the supreme court  
14 of the United States. Until that time, eligible members may still  
15 retire under this subsection, and upon receipt of the first installment  
16 of a retirement allowance computed under this subsection, the resulting  
17 benefit becomes contractual for the recipient. If the repeal of  
18 chapter 41.31A RCW is held to be invalid in a final determination of a  
19 court of law, and the court orders reinstatement of gain-sharing or  
20 other alternate benefits as a remedy, then retirement benefits for any  
21 member who has completed at least thirty service credit years and has  
22 attained age fifty-five but has not yet received the first installment  
23 of a retirement allowance under this subsection shall be computed using  
24 the reductions in (a) of this subsection.

25 (c) Members who first become employed by an employer in an eligible  
26 position on or after May 1, 2013, are not eligible for the alternate  
27 early retirement provisions of (a) or (b) of this subsection. Any  
28 member who first becomes employed by an employer in an eligible  
29 position on or after May 1, 2013, and has completed at least thirty  
30 service credit years and has attained age fifty-five shall be eligible  
31 to retire and to receive a retirement allowance computed according to  
32 the provisions of RCW 41.40.620, except that a member retiring pursuant  
33 to this subsection shall have the retirement allowance reduced by five  
34 percent per year to reflect the difference in the number of years  
35 between age at retirement and the attainment of age sixty-five.

36 **Sec. 6.** RCW 41.40.820 and 2012 1st sp.s. c 7 s 6 are each amended  
37 to read as follows:

1 (1) NORMAL RETIREMENT. Any member who is at least age sixty-five  
2 and who has:

3 (a) Completed ten service credit years; or

4 (b) Completed five service credit years, including twelve service  
5 credit months after attaining age forty-four; or

6 (c) Completed five service credit years by the transfer payment  
7 date specified in RCW 41.40.795, under the public employees' retirement  
8 system plan 2 and who transferred to plan 3 under RCW 41.40.795;  
9 shall be eligible to retire and to receive a retirement allowance  
10 computed according to the provisions of RCW 41.40.790.

11 (2) EARLY RETIREMENT. Any member who has attained at least age  
12 fifty-five and has completed at least ten years of service shall be  
13 eligible to retire and to receive a retirement allowance computed  
14 according to the provisions of RCW 41.40.790, except that a member  
15 retiring pursuant to this subsection shall have the retirement  
16 allowance actuarially reduced to reflect the difference in the number  
17 of years between age at retirement and the attainment of age sixty-  
18 five.

19 (3) ALTERNATE EARLY RETIREMENT.

20 (a) Any member who has completed at least thirty service credit  
21 years and has attained age fifty-five shall be eligible to retire and  
22 to receive a retirement allowance computed according to the provisions  
23 of RCW 41.40.790, except that a member retiring pursuant to this  
24 subsection shall have the retirement allowance reduced by three percent  
25 per year to reflect the difference in the number of years between age  
26 at retirement and the attainment of age sixty-five.

27 (b) On or after July 1, 2008, any member who has completed at least  
28 thirty service credit years and has attained age fifty-five shall be  
29 eligible to retire and to receive a retirement allowance computed  
30 according to the provisions of RCW 41.40.790, except that a member  
31 retiring pursuant to this subsection shall have the retirement  
32 allowance reduced as follows:

33	Retirement	Percent
34	Age	Reduction
35	55	20%
36	56	17%

1	57	14%
2	58	11%
3	59	8%
4	60	5%
5	61	2%
6	62	0%
7	63	0%
8	64	0%

9       (~~Any member who retires under the provisions of this subsection is~~  
10 ~~ineligible for the postretirement employment provisions of RCW~~  
11 ~~41.40.037(2)(d) until the retired member has reached sixty five years~~  
12 ~~of age. For purposes of this subsection, employment with an employer~~  
13 ~~also includes any personal service contract, service by an employer as~~  
14 ~~a temporary or project employee, or any other similar compensated~~  
15 ~~relationship with any employer included under the provisions of RCW~~  
16 ~~41.40.850(1).)~~)

17       The subsidized reductions for alternate early retirement in this  
18 subsection as set forth in section 10, chapter 491, Laws of 2007 were  
19 intended by the legislature as replacement benefits for gain-sharing.  
20 Until there is legal certainty with respect to the repeal of chapter  
21 41.31A RCW, the right to retire under this subsection is  
22 noncontractual, and the legislature reserves the right to amend or  
23 repeal this subsection. Legal certainty includes, but is not limited  
24 to, the expiration of any: Applicable limitations on actions; and  
25 periods of time for seeking appellate review, up to and including  
26 reconsideration by the Washington supreme court and the supreme court  
27 of the United States. Until that time, eligible members may still  
28 retire under this subsection, and upon receipt of the first installment  
29 of a retirement allowance computed under this subsection, the resulting  
30 benefit becomes contractual for the recipient. If the repeal of  
31 chapter 41.31A RCW is held to be invalid in a final determination of a  
32 court of law, and the court orders reinstatement of gain-sharing or  
33 other alternate benefits as a remedy, then retirement benefits for any  
34 member who has completed at least thirty service credit years and has  
35 attained age fifty-five but has not yet received the first installment  
36 of a retirement allowance under this subsection shall be computed using  
37 the reductions in (a) of this subsection.

1           (c) Members who first become employed by an employer in an eligible  
2 position on or after May 1, 2013, are not eligible for the alternate  
3 early retirement provisions of (a) or (b) of this subsection. Any  
4 member who first becomes employed by an employer in an eligible  
5 position on or after May 1, 2013, and has completed at least thirty  
6 service credit years and has attained age fifty-five shall be eligible  
7 to retire and to receive a retirement allowance computed according to  
8 the provisions of RCW 41.40.790, except that a member retiring pursuant  
9 to this subsection shall have the retirement allowance reduced by five  
10 percent per year to reflect the difference in the number of years  
11 between age at retirement and the attainment of age sixty-five.

--- END ---