



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 28, 2021

TIME: 8:56 AM

WSR 21-10-036

Agency: Department of Retirement Systems

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: To clarify how any remaining contributions and prorated monthly benefit will be distributed following a member's death, if there is no ongoing survivor benefit.

Citation of rules affected by this order:

New: WAC 415-02-260 What happens to my monthly retirement benefit when I die?

Repealed: WAC 415-112-715 Who gets the balance of my monthly retirement allowance if I die partway through a month?

Amended:

Suspended:

Statutory authority for adoption: RCW 41.50.050

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 21-07-143 on March 24, 2021 (date).

Describe any changes other than editing from proposed to adopted version: No changes, the text being adopted is identical to the text as proposed.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New		Amended	<u>1</u>	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New		Amended	<u>1</u>	Repealed	<u>1</u>
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: April 28, 2021

Name: Tracy Guerin

Title: Director

Signature:



NEW SECTION

WAC 415-02-260 What happens to my monthly retirement benefit when I die? If a survivor benefit will not be paid on your account, a prorated portion of your defined benefit for the month of your death will be paid to your estate. Any contributions that have not been paid in retirement benefits will be paid to your beneficiary. If your named beneficiaries have all predeceased you, remaining contributions will be paid to your estate. Amounts you owe the department, if any, will be subtracted from your account prior to payments being made to your beneficiary or estate.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 415-112-715 Who gets the balance of my monthly
retirement allowance if I die partway
through a month?