**Notice to Interested Parties**

December 7, 2023

**SUBJECT:** Rule Adoption, Concise Explanatory Statement, as required by RCW 34.05.325

**RULE CITATIONS**

**Amending:**

* WAC 415-02-030 – Definitions
* WAC 415-02-325 – 2008 Early Retirement Factors
* WAC 415-106-700 – What are the return to work rules for PSERS?
* WAC 415-108-710 – What are the return to work rules for PERS Plan 1, Plan 2, and   
  Plan 3?
* WAC 415-110-710 – What are the return to work rules for SERS Plan 2 and Plan 3?
* WAC 415-112-525 – What are the return to work rules for TRS Plan 1, Plan 2, and   
  Plan 3?

**New Sections:**

* WAC 415-02-170 – How is my benefit affected if I return to work and impacted by more than one annual hourly limit?
* WAC 415-02-173 – How is my benefit affected if I return to work and am impacted by more than one annual hourly limit?

**REASON FOR ADOPTION:** To implement several retiree return to work bills, including [ESHB 1699](https://lawfilesext.leg.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/House/1699-S.SL.pdf?q=20231101122644) [permitting individuals retired from the Public Employees' Retirement System, the Teachers' Retirement System, and the School Employees' Retirement System additional opportunities to work for a school district], [SHB 1056](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1056-S.SL.pdf?q=20231101122727) [repealing some postretirement employment restrictions], and [SSB 5538](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/Senate/5538-S.SL.pdf?q=20231101122824) [postretirement employment in nursing positions for a state agency].

**HEARING:** November 8, 2023, 9:00 a.m.

**SUMMARY OF COMMENTS:** There were no comments during the rule hearing.   
  
One person submitted a written comment asking DRS to extend the 1040 hour limit [from [ESHB 1699](https://lawfilesext.leg.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/House/1699-S.SL.pdf?q=20231117120102)] beyond July 1, 2025. DRS responded, explaining that after July 1, 2025, people who retired under the 2008 Early Retirement Factors will be able to work up to 867 hours per year in accordance with [SHB 1065](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1056-S.SL.pdf?q=20231117120141).

**DIFFERENCES IN TEXT:** There are no differences between the rule language that the Department of Retirement Systems (DRS) filed with the CR-102 and the rule language that DRS will file with the CR-103P.

**Bianca Stoner**

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