
HOUSE BILL 2055

State of Washington

54th Legislature

1995 Regular Session

By Representatives L. Thomas and Robertson

Read first time 02/27/95. Referred to Committee on Appropriations.

1 AN ACT Relating to judgments on retirement accounts; reenacting and
2 amending RCW 41.32.052; and creating a new section.

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

4 **Sec. 1.** RCW 41.32.052 and 1991 c 365 s 21 and 1991 c 35 s 63 are
5 each reenacted and amended to read as follows:

6 (1) Subject to subsections (2) and (3) of this section, the right
7 of a person to a pension, an annuity, a retirement allowance, or
8 disability allowance, to the return of contributions, any optional
9 benefit or death benefit, any other right accrued or accruing to any
10 person under the provisions of this chapter and the moneys in the
11 various funds created by this chapter shall be unassignable, and are
12 hereby exempt from any state, county, municipal or other local tax, and
13 shall not be subject to execution, garnishment, attachment, the
14 operation of bankruptcy or insolvency laws, or other process of law
15 whatsoever.

16 (2) This section shall not be deemed to prohibit a beneficiary of
17 a retirement allowance who is eligible:

18 (a) Under RCW 41.05.080 from authorizing monthly deductions
19 therefrom for payment of premiums due on any group insurance policy or

1 plan issued for the benefit of a group comprised of public employees of
2 the state of Washington or its political subdivisions;

3 (b) Under a group health care benefit plan approved pursuant to RCW
4 28A.400.350 or 41.05.065 from authorizing monthly deductions therefrom,
5 of the amount or amounts of subscription payments, premiums, or
6 contributions to any person, firm, or corporation furnishing or
7 providing medical, surgical, and hospital care or other health care
8 insurance; or

9 (c) Under this system from authorizing monthly deductions therefrom
10 for payment of dues and other membership fees to any retirement
11 association composed of retired teachers and/or public employees
12 pursuant to a written agreement between the director and the retirement
13 association.

14 Deductions under (a) and (b) of this subsection shall be made in
15 accordance with rules that may be adopted by the director.

16 (3) Subsection (1) of this section shall not prohibit the
17 department from complying with (a) a wage assignment order for child
18 support issued pursuant to chapter 26.18 RCW, (b) an order to withhold
19 and deliver issued pursuant to chapter 74.20A RCW, (c) a notice of
20 payroll deduction issued pursuant to RCW 26.23.060, (d) a mandatory
21 benefits assignment order issued by the department, (e) a court order
22 directing the department of retirement systems to pay benefits directly
23 to an obligee under a dissolution order as defined in RCW 41.50.500(3)
24 which fully complies with RCW 41.50.670 and 41.50.700, (f) a court
25 order directing the department of retirement systems to pay benefits
26 directly to a judgment creditor on a claim arising out of criminal
27 acts, intentional wrongs, or willful misconduct by a beneficiary of a
28 retirement allowance, or ((+f+)) (g) any administrative or court order
29 expressly authorized by federal law.

30 NEW SECTION. **Sec. 2.** This act applies to all judgments in effect
31 on or after the effective date of this act, regardless of when the
32 judgment may have been entered. To this extent, this act applies
33 retroactively, but in all other respects it applies prospectively.

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