

**RCW 41.24.160 Death benefits.** (1) (a) Whenever a participant dies as the result of injuries received, or sickness contracted in consequence or as the result of the performance of his or her duties, the board of trustees shall order and direct the payment from the principal fund of (i) the sum of two hundred fourteen thousand dollars to his widow or her widower, or if there is no widow or widower, then to his or her dependent child or children, or if there is no dependent child or children, then to his or her dependent parents or either of them, or if there are no dependent parents or parent, then the death benefit shall be paid to the member's estate, and (ii) (A) the sum of one thousand two hundred seventy-five dollars per month to his widow or her widower, with (B) an additional amount of five hundred dollars per month paid to the legal guardian or surviving parent of each birth or legally adopted child, unemancipated or under eighteen years of age, and dependent upon the member for support at the time of his or her death.

(b) Beginning on July 1, 2001, and each July 1st thereafter, the compensation amounts specified in (a) (ii) (A) and (B) of this subsection shall be readjusted to reflect the percentage change in the consumer price index, calculated as follows: The index for the calendar year preceding the year in which the July calculation is made, to be known as "calendar year A," is divided by the index for the calendar year preceding calendar year A, and the resulting ratio is multiplied by the compensation amount in effect on June 30th immediately preceding the July 1st on which the respective calculation is made. For the purposes of this subsection, "index" means the same as the definition in RCW 2.12.037(1).

(2) In the case provided for in this section, the monthly payment provided may be converted in whole or in part into a lump sum payment, not in any case to exceed twenty-five thousand dollars, equal or proportionate, as the case may be, to the actuarial equivalent of the monthly payment in which event the monthly payments shall cease in whole or in part accordingly or proportionately. Such conversion may be made either upon written application to the state board and shall rest in the discretion of the state board; or the state board is authorized to make, and authority is given it to make, on its own motion, lump sum payments, equal or proportionate, as the case may be, to the value of the annuity then remaining in full satisfaction of claims due to dependents. Within the rule under this subsection the amount and value of the lump sum payment may be agreed upon between the applicant and the state board. [2013 c 100 s 1; 2001 c 134 s 2. Prior: 1999 c 148 s 14; 1999 c 117 s 5; 1998 c 151 s 1; 1996 c 57 s 2; 1989 c 91 s 3; 1986 c 163 s 2; 1981 c 21 s 2; 1975-'76 2nd ex.s. c 76 s 2; 1973 1st ex.s. c 154 s 74; 1965 c 86 s 2; 1961 c 57 s 1; 1957 c 159 s 2; 1953 c 253 s 2; 1951 c 103 s 2; 1945 c 261 s 16; Rem. Supp. 1945 s 9578-30; prior: 1935 c 121 s 6; RRS s 9578-6.]

**Effective date—2001 c 134:** See note following RCW 41.24.150.

**Effective date—1998 c 151:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 25, 1998]." [1998 c 151 s 2.]

**Effective date—1996 c 57:** See note following RCW 41.24.150.

**Effective date—1989 c 91:** See note following RCW 41.24.010.

**Effective date—Severability—1981 c 21:** See notes following RCW 41.24.150.

**Severability—1973 1st ex.s. c 154:** See note following RCW 2.12.030.