Washington State
House of Representatives
Office of Program Research

BILL ANALYSIS

Technology, Economic Development, & Veterans Committee

SB 5420

Brief Description: Ensuring access to state benefits and opportunities for veterans, uniformed service members, and military spouses.

Sponsors: Senators Lovick, Wagoner, Chapman, Dozier and Nobles.

Brief Summary of Bill

- Expands eligibility for certain pension, retirement, and veterans' benefits based on military service.
- Adds federal commissioned corps to definition of uniformed services.
- Expands type of military service that qualifies military spouses and dependents for pension and retirement benefits, license moratoria, and veterans' employment.

Hearing Date: 3/18/25

Staff: Martha Wehling (786-7067).

Background:

Pension and Retirement Benefits.
Washington's state-sponsored retirement services provide credit for interruptive military service, and some plans provide military service credit for non-interruptive military service. The additional service cannot exceed five years.

Fire Fighter.
A member of a fire department who enters and serves in the armed forces has his or her period of

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service added to the period of fire department employment.

Police.
A member of a city police department receives a specified pension after 25 years of service. A member who enters the armed services, is honorably discharged or discharged for physical reasons, and whose military service was during a Period of War, has his or her period of service added to the period of city police department service.

City Employee.
A member is in service only while receiving compensation from the city or on leave for service in the armed forces. Service means service rendered to a city for compensation. The Board of Trustees is required to grant prior service credit to an employee who would have been granted a leave of absence for sickness, injury, or service in the armed forces during World War I, World War II, or extended active duty. The Board of Trustees must receive a certificate of honorable discharge.

Public Employees, Plan 1.
Under the Public Employees' Retirement System Plan 1 military service credits are treated as follows:

- Leave of absence: A public employee who served in the military or naval forces is on military leave of absence if the employment is resumed within one year.
- Retirement benefits: A public employee may have armed forces service credited towards his or her retirement benefits, and the employee must prove that the military service was during a Period of War.
- Service when eligible for retirement: If a public employee would have been eligible for retirement benefits, but is serving honorably in the armed forces during a Period of War, the employee is eligible for the service credit without returning to public employment.
- Total incapacitation: If a public employee becomes totally incapacitated during uniformed service, the employee is entitled to retirement system service credit until the date of discharge if the Director of the Department of Retirement Services provides a determination of total incapacitation and the employee proves his or her discharge was honorable.
- Spouse and dependents: A surviving spouse, eligible child, or children of a public employee who died during uniformed service may apply on behalf of the deceased employee for retirement service credit up to the employee's date of death.

<u>Other State Benefits.</u>
Certain state benefits are available for certain types of military service, and in some cases, available to military spouses or dependents.

Department of Licensing Moratorium.
A license remains in full force and effect for any person licensed by the Director of Licensing or certain boards and commissions who enters service in the armed forces, the United States Public Health Service Commissioned Corps (Public Health Corps), or the Merchant Marines. The

license of a spouse or registered domestic partner of an armed forces or Public Health Corps service member must be placed in inactive status, if requested by the licensee.

Veterans' Scoring Criteria in Examinations.
Veteran applicants for public offices, positions, or employment with the state, political subdivisions, municipal corporations, and private companies or agencies contracting with the state receive a scoring criteria status of 5 to 10 percent.

Veterans' Employment.
Veterans receive certain benefits related to public and private employment, as follows:

- Public employment: Soldiers, sailors, guardians, marines, and other members of the uniformed services who are veterans of any war, any military campaign with a ribbon and qualifying discharge, and widows or widowers receive preferential appointment and employment for every public department and all public works of the state and each county.
- Employment restoration: A person is entitled to be restored to an employment position after his or her period of active military duty or service as if on furlough or leave of absence.
- Permissive employment: A permissive private employment preference is available for honorably discharged soldiers, sailors, and marines who are veterans of any war or any campaign for which a ribbon has been awarded, and their widows.
- Spouse employment: Spouses of veterans with a qualifying discharge and who have a service connected permanent and total disability also receive preferential appointment and employment. In private employment, spouses of honorably discharged veterans who have a service connected permanent and total disability may also be preferred for employment in every public department and all public works of the state and each county.

Definition.
The "uniformed services" for purposes of veterans employment are defined as the armed forces, Army National Guard, and Air National Guard of any state, territory, commonwealth, possession, or district when engaged in active duty for training, inactive duty training, full-time National Guard duty, or state active duty, the Public Health Corps, the Coast Guard, and any other category designated by the President in time of war or national emergency.

Washington Service Members' Civil Relief Act.
The Washington Service Member's Civil Relief Act (WSMCRA) applies to military members and their dependents whose financial and legal obligations may be impacted by active military duty. The WSMCRA's main provisions provide rights with respect to default judgments and stays in civil proceedings. The WSMCRA also contains provisions restricting contract fines and penalties, restructuring interest rates on certain business loans, and tolling statutes of limitations during periods of military service.

For purposes of the WSMCRA, a "service member" is an active member of the United States armed forces, a member of a military reserve component, or a member of the National Guard stationed in or a resident of Washington.

Definitions.
For purposes of the militia and military affairs, a "member" is a soldier or airman of the organized militia. The organized militia are the commissioned officers, warrant officers, enlisted individuals, and organizations, staff, corps, and departments of the Washington militia.

A "Period of War" is World War I, World War II, the Korean conflict, the Vietnam Era, the Persian Gulf War, any future declaration of war, or any armed conflict where the participant was awarded the respective campaign or expeditionary badge or medal.

"Qualifying discharge" means discharge with an honorable, general under honorable, other than honorable, or any characterization of service, with certain limitations.

Federal Services.
The Public Health Corps is the uniformed service branch of the Public Health Service and one of eight uniformed services of the United States. The National Oceanic and Atmospheric Administration Commissioned Officer Corps (NOAA Corps) is another of the uniformed services. The Public Health Corps and the NOAA Corps are the two branches of uniformed services that have only commissioned officers and no enlisted or warrant officer ranks.

The United States armed forces include the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard. Established in 2019 the Space Force is the newest branch of the armed forces. Its members are called Guardians.

Summary of Bill:

Pension and Retirement Benefits.
Fire Fighter.
The uniformed services are added. "Uniformed services" means the United States Public Health Service Commissioned Corps (Public Health Corps) and the National Oceanic and Atmospheric Administration Commissioned Officer Corps (NOAA Corps).

Police.
Service in the uniformed services or actively serving honorably are added. "Uniformed services" means the Public Health Corps and the NOAA Corps.

City Employee.
Service in the uniformed services are added. "Uniformed services" means the Public Health Corps and the NOAA Corps.

Public Employees, Plan 1.
Changes to the Public Employees' Retirement System Plan 1 military service credits are as follows:

- Leave of absence: The uniformed services are added.

- Retirement benefits: Service in the uniformed services or actively serving honorably may be added.
- Service when eligible for retirement: The uniformed services are added.
- Total incapacitation: Service in the armed forces is added.
- Spouse and dependents: Service in the armed forces is added.

"Uniformed services" means the Public Health Corps and the NOAA Corps.

Other State Benefits.
Department of Licensing Moratorium.
Service in the NOAA Corps is added for both the service member and a spouse or registered domestic partner.

Veterans' Scoring Criteria in Examinations.
The uniformed services are added. "Uniformed services" means service in the Public Health Corps or the NOAA Corps with a qualifying discharge or actively serving honorably.

Veterans' Employment.
The NOAA Corps is added to the definition of "uniformed services." Additional changes to the provisions of veterans' employment are made to the following categories:

- Public employment: The requirement that a person is a veteran of any war or campaign for which a ribbon was awarded is removed as qualifications for preferential appointment and employment. Veteran means specific types of service or a current member of the National Guard or Armed Forces Reserves who has been deployed to serve in an armed conflict.
- Employment restoration: Uniformed services are added.
- Permissive employment: Guardians and uniformed service members are added. The requirement that a person is a veteran of any war or any campaign for which a ribbon has been awarded is removed as a required qualification.
- Spouse employment: Spouses of active duty service members are added for preferential public employment. Military spouses and spouses of active duty service members are added to permissive, preferential, private employment.

Definitions.
For the militia and military affairs, the definition of "member" is expanded to include a guardian.

For service members' civil relief, the definition of "service member" is expanded to include a member of the Public Health Corps or the NOAA Corps.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is

passed.