

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1927 Session of  
2013

INTRODUCED BY GIBBONS, DENLINGER, READSHAW, MAJOR, SAINATO,  
GOODMAN, CALTAGIRONE, COHEN, MARSHALL, LUCAS, K. BOYLE,  
CUTLER, GERGELY, MARSICO, KORTZ, OBERLANDER, TAYLOR, MURT,  
KOTIK, FABRIZIO, TOOIL, HAGGERTY, REGAN, GINGRICH, FARRY,  
STEVENSON, EVERETT AND KULA, DECEMBER 19, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 19, 2013

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania  
2 Consolidated Statutes, further providing for definitions and  
3 for creditable nonstate service.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 5102 of Title 71 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a definition to read:

8 § 5102. Definitions.

9 The following words and phrases as used in this part, unless  
10 a different meaning is plainly required by the context, shall  
11 have the following meanings:

12 \* \* \*

13 "Municipal police officer." An individual employed as a  
14 police officer who is certified under the act of February 1,  
15 1974 (P.L.34, No.15), known as the Pennsylvania Municipal  
16 Retirement Law.

17 \* \* \*

Section 2. Section 5304(c) of Title 71, amended October 24, 2012 (P.L.1436, No.181), is amended to read:

§ 5304. Creditable nonstate service.

\* \* \*

(c) Limitations on nonstate service.--Creditable nonstate service credit shall be limited to:

(1) intervening military service if the member returned to State service before January 1, 2012;

(2) (i) military service other than:

(A) intervening military service;

(B) military service purchasable under former section 5302(d) (relating to credited State service) or 5302(f)(1); and

(C) military service performed during USERRA leave if the member was reemployed from USERRA leave.

(ii) the total creditable nonstate service under this paragraph may not exceed five years, provided that a member with multiple service may not purchase more than a total of five years of military service in both the system and the Public School Employees' Retirement System;

(3) in the case of an academic administrator, teacher or instructor employed in the Department of Education, the State System of Higher Education, any State-owned educational institution or The Pennsylvania State University, provided that the total amount of service creditable under this paragraph shall not exceed the lesser of ten years or the number of years of active membership in the system as an academic administrator, teacher or instructor in the Department of Education, State System of Higher Education,

1 any State-owned educational institution or The Pennsylvania  
2 State University:

3 (i) nonstudent service as an academic administrator,  
4 teacher or instructor in any public school or public  
5 educational institution in any state other than this  
6 Commonwealth; or

7 (ii) nonstudent service as an academic  
8 administrator, teacher or instructor in the field of  
9 education for any agency or department of the Federal  
10 Government, whether or not such area was under the  
11 jurisdiction of the United States;

12 (4) previous service with a governmental agency other  
13 than the Commonwealth which employment with said agency was  
14 terminated because of the transfer by statute of the  
15 administration of such service or of the entire agency to the  
16 Commonwealth;

17 (5) service as a temporary Federal employee assigned to  
18 an air quality control complement for the Pennsylvania  
19 Department of Environmental Resources at any time during the  
20 period of 1970 through 1975. This service time may be  
21 purchased only if the member makes an election to purchase  
22 within one year of the effective date of this paragraph, and  
23 the member shall pay an amount which is equal to the full  
24 actuarial cost of the increased benefit obtained by virtue of  
25 the purchase as provided in section 5505(f);

26 (6) service in the Cadet Nurse Corps with respect to any  
27 period of training as a student or graduate nurse under a  
28 plan approved under section 2 of the act of June 15, 1943  
29 (Public Law 78-73, 57 Stat. 153), if the total period of  
30 training under such plan was at least two years, the credit

1 for such service not to exceed three years;

2 (7) service prior to July 1, 1971, at a community  
3 college established under the act of August 24, 1963  
4 (P.L.1132, No.484), known as the Community College Act of  
5 1963; [or]

6 (8) service as a justice of the peace prior to January  
7 1970[.]; or

8 (9) service as a municipal police officer within this  
9 Commonwealth by a member of the Pennsylvania State Police,  
10 the credit for such service not to exceed five years.

11 \* \* \*

12 Section 3. This act shall take effect in 60 days.