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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 900      Session of  
1993

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INTRODUCED BY CAWLEY, MARCH 24, 1993

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REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 24, 1993

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AN ACT

1 Amending the act of July 3, 1947 (P.L.1242, No.507), entitled  
2 "An act relating to police and firemen's pension funds in  
3 cities of the second class A, and directing such cities to  
4 appropriate certain moneys thereto, and requiring reports and  
5 audits," and the act of September 23, 1959 (P.L.970, No.400),  
6 entitled "An act providing for the creation, maintenance and  
7 operation of an employees' retirement system in cities of the  
8 second class A, and imposing certain charges on cities of the  
9 second class A and school districts in cities of the second  
10 class A," further providing for credit for military service.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. Section 1 of the act of July 3, 1947 (P.L.1242,  
14 No.507), entitled "An act relating to police and firemen's  
15 pension funds in cities of the second class A, and directing  
16 such cities to appropriate certain moneys thereto, and requiring  
17 reports and audits," amended July 15, 1968 (P.L.341, No.166), is  
18 amended to read:

19 Section 1. There shall be paid over, as hereinafter  
20 provided, to the organization or association constituting and  
21 having in charge the distribution of police and firemen's

1 pension funds in every city of the second class A, three per  
2 centum (3%) of all city taxes collected by the city, other than  
3 taxes levied to pay interest on or to extinguish the debt of the  
4 city, or any part thereof, to be divided equally between the  
5 police and firemen's association or organization. In addition to  
6 the three per centum (3%) of city taxes required to be paid  
7 pursuant to this section, moneys shall be appropriated by cities  
8 of the second class A to organizations and associations  
9 distributing police and firemen's pension funds, whenever  
10 necessary to enable the organizations or associations to pay the  
11 amounts of minimum pensions prescribed by act of Assembly,  
12 pursuant to section 11 of article III. of the Constitution of  
13 Pennsylvania. In addition to the above payments and  
14 appropriations, moneys may be appropriated by cities of the  
15 second class A to organizations and associations distributing  
16 police and firemen's pension funds, whenever necessary, to  
17 entitle any policeman or fireman who is a member of the pension  
18 fund and who served in the armed forces of the United States  
19 subsequent to September 1, 1940, and who was not a member of the  
20 police or firemen's pension funds prior to such military  
21 service, and who commenced employment as a policeman or fireman  
22 in a city of the second class A within [three (3) years] such  
23 period from date of release from active duty, as the governing  
24 body of the city shall determine by ordinance or resolution, to  
25 have full credit for each year or fraction thereof, not to  
26 exceed five (5) years of such service upon his payment to the  
27 police or firemen's pension fund an amount equal to that which  
28 he would have paid had he been a member during the period for  
29 which he desires credit computed with reference to the  
30 compensation he received upon entry into city service as a

1 policeman or fireman and his current percentage of salary  
2 deductions, and an additional amount as the equivalent of the  
3 contributions of the city on account of such military service,  
4 which amount may be paid in a lump sum or by installments as may  
5 be approved by the organizations or associations distributing  
6 pension funds to police and firemen.

7 Section 2. Section 12 of the act of September 23, 1959  
8 (P.L.970, No.400), referred to as the Second Class A City  
9 Employe Pension Law, amended July 15, 1968 (P.L.342, No.167), is  
10 amended to read:

11 Section 12. Credit for Military Service; Payment into Fund;  
12 Reimbursement.--Any city employe who, on or after September 16,  
13 1940, has been employed by the city for a period of six months  
14 and who, on or subsequent to such date, shall have enlisted or  
15 been inducted into the military service of the United States in  
16 time of war, armed conflict or national emergency so proclaimed  
17 by the President or the Congress of the United States, shall  
18 have credited to his employment record, for retirement benefits,  
19 all of the time spent by him in such military service during the  
20 continuance of such war, armed conflict, or national emergency,  
21 and such payments as were heretofore or shall hereafter be  
22 required to be made during such period by such city employe into  
23 the city employes' retirement fund shall be paid into such fund  
24 by the city. Any employes who have made payments into the city  
25 employes' retirement fund, for which payments the city is liable  
26 under the provisions of this act, shall be reimbursed by the  
27 city to the full extent of such payments or be given credit  
28 towards future payments under this act.

29 Any member of the pension fund who is a contributor and who  
30 served in the armed forces of the United States subsequent to

1 September 1, 1940, and who was not a member of the pension fund  
2 prior to such military service, and who commenced employment in  
3 city service within [three years] such period from date of  
4 release from active duty, may, as the governing body of the city  
5 or school district shall determine by ordinance or resolution,  
6 be entitled to have full credit for each year or fraction  
7 thereof, not to exceed five years of such service upon his  
8 payment to the pension fund an amount equal to that which he  
9 would have paid had he been a member during the period for which  
10 he desires credit, computed with reference to the compensation  
11 he received upon entry into city service and his current  
12 percentage of salary deductions, and an additional amount as the  
13 equivalent of the contributions of the city and school district  
14 on account of such military service, which amount may be paid in  
15 a lump sum or by installments as may be approved by the board.  
16 Section 3. This act shall take effect immediately.