

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 430 Session of  
1999

INTRODUCED BY LUCYK, PESCI, BELFANTI, McCALL, LAUGHLIN, TRELLO,  
PRESTON AND THOMAS, FEBRUARY 9, 1999

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 9, 1999

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania  
2 Consolidated Statutes, defining "county employee"; and  
3 further providing for creditable nonstate service in the  
4 State Employees' Retirement Fund.

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

7 Section 1. Section 5102 of Title 71 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a definition to read:  
9 § 5102. Definitions.

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

13 \* \* \*

14 "County employee." Any employee or person holding a county  
15 office of any county in this Commonwealth. The term shall not  
16 mean an independent contractor or any person compensated on a  
17 fee basis.

18 \* \* \*

1 Section 2. Section 5304(c) of Title 71 is amended to read:

2 § 5304. Creditable nonstate service.

3 \* \* \*

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

6 (1) intervening military service;

7 (2) military service other than intervening military  
8 service and military service purchasable under section  
9 5302(d) (relating to credited State service) not exceeding  
10 five years, provided that a member with multiple service may  
11 not purchase more than a total of five years of military  
12 service in both the system and the Public School Employees'  
13 Retirement System;

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

25 (i) nonstudent service as an academic administrator,  
26 teacher or instructor in any public school or public  
27 educational institution in any state other than this  
28 Commonwealth; or

29 (ii) nonstudent service as an academic  
30 administrator, teacher or instructor in the field of

1 education for any agency or department of the Federal  
2 Government, whether or not such area was under the  
3 jurisdiction of the United States;

4 (4) previous service with a governmental agency other  
5 than the Commonwealth which employment with said agency was  
6 terminated because of the transfer by statute of the  
7 administration of such service or of the entire agency to the  
8 Commonwealth;

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

18 (6) service in the Cadet Nurse Corps with respect to any  
19 period of training as a student or graduate nurse under a  
20 plan approved under section 2 of the act of June 15, 1943  
21 (Public Law 78-73, 57 Stat. 153), if the total period of  
22 training under such plan was at least two years, the credit  
23 for such service not to exceed three years;

24 (7) service prior to July 1, 1971, at a community  
25 college established under the act of August 24, 1963  
26 (P.L.1132, No.484), known as the Community College Act of  
27 1963; [or]

28 (8) service as a justice of the peace prior to January  
29 1970[.]; or

30 (9) previous service as a county employee, the credit

1     for such service not to exceed five years.

2     \* \* \*

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