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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1163 Session of  
2007

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INTRODUCED BY WANSACZ, GERGELY, GOODMAN, KORTZ, FABRIZIO,  
CALTAGIRONE, EVERETT, GEIST, GRUCELA, JAMES, LEACH, MANN,  
NAILOR, PETRONE, WOJNAROSKI, YOUNGBLOOD AND MILNE,  
APRIL 25, 2007

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REFERRED TO COMMITTEE ON FINANCE, APRIL 25, 2007

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AN ACT

1 Amending Titles 24 (Education) and 71 (State Government) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 credited school service and for the definition of State  
4 service.

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

7 Section 1. Section 8302(a) of Title 24 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 8302. Credited school service.

10 (a) Computation of credited service.--In computing credited  
11 school service of a member for the determination of benefits, a  
12 full-time salaried school employee shall receive one year of  
13 credit for each school year or the corresponding fraction  
14 thereof, in accordance with the proportion of the full school  
15 year for which the required regular member contributions have  
16 been made, or for which such contributions otherwise required  
17 for such service were not made solely by reason of any provision  
18 of this part relating to the limitations under IRC § 401(a)(17)

1 or 415(b). A per diem or hourly school employee shall receive  
2 one year of credited service for each nonoverlapping period of  
3 12 consecutive months in which he is employed and for which  
4 contributions are made, or would have been made but for such  
5 limitations under the IRC, for at least 180 full-day sessions or  
6 1,100 hours of employment. If such member was employed and  
7 contributions were made for less than 180 full-day sessions or  
8 1,100 hours, he shall be credited with a fractional portion of a  
9 year determined by the ratio of the number of full-day sessions  
10 or hours of service actually rendered to 180 full-day sessions  
11 or 1,100 hours, as the case may be. A part-time salaried  
12 employee shall be credited with the fractional portion of the  
13 year which corresponds to the service actually rendered in  
14 relation to the service required as a comparable full-time  
15 salaried employee. In no case shall a member receive more than  
16 one year of credited service for any 12 consecutive months or a  
17 member who has elected multiple service receive an aggregate in  
18 the two systems of more than one year of credited service for  
19 any 12 consecutive months. Nonintervening military service shall  
20 be considered credited school service.

21 \* \* \*

22 Section 2. The definition of "State service" in section 5102  
23 of Title 71 is amended to read:

24 § 5102. Definitions.

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

28 \* \* \*

29 "State service." Service converted from county service  
30 pursuant to section 5303.1 (relating to election to convert

1 county service to State service), converted from school service  
2 pursuant to section 5303.2 (relating to election to convert  
3 school service to State service) or rendered as a State  
4 employee. Nonintervening military service shall be considered  
5 State service.

6 \* \* \*

7 Section 3. This act shall be retroactive to June 30, 2001.

8 Section 4. This act shall take effect immediately.