

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 922 Session of 2017

INTRODUCED BY TALLMAN, BLOOM, MILLARD, IRVIN, PICKETT, RYAN, KAUFFMAN, WARD, SANKEY, SAYLOR, HEFFLEY, DUSH, ZIMMERMAN, B. MILLER, GROVE, KEEFER, D. COSTA, MOUL, COX, PHILLIPS-HILL AND CUTLER, MARCH 22, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 5, 2017

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania
2 Consolidated Statutes, in preliminary provisions relating to
3 retirement for State employees and officers, further
4 providing for definitions.

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

7 Section 1. The definition of "State employee" in section
8 5102 of Title 71 of the Pennsylvania Consolidated Statutes is
9 amended to read:

10 § 5102. Definitions.

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

14 * * *

15 "State employee." Any person holding a State office or
16 position under the Commonwealth, employed by the State
17 Government of the Commonwealth, in any capacity whatsoever,

1 except an independent contractor or any person compensated on a
2 fee basis or any person paid directly by an entity other than a
3 State Employees' Retirement System employer, and shall include
4 members of the General Assembly, and any officer or employee of
5 the following:

6 (1) (i) The Department of Education.

7 (ii) State-owned educational institutions.

8 (iii) Community colleges.

9 (iv) The Pennsylvania State University, except an
10 employee in the College of Agriculture who is paid wholly
11 from Federal funds or an employee who is participating in
12 the Federal Civil Service Retirement System. The
13 university shall be totally responsible for all employer
14 contributions under section 5507 (relating to
15 contributions by the Commonwealth and other employers).

16 (2) The Pennsylvania Turnpike Commission, the Delaware
17 River Port Authority, the Port Authority Transit Corporation,
18 the Philadelphia Regional Port Authority, the Delaware River
19 Joint Toll Bridge Commission, the State Public School
20 Building Authority, The General State Authority, the State
21 Highway and Bridge Authority, the Delaware Valley Regional
22 Planning Commission[,] and the Interstate Commission of the
23 Delaware River Basin[, and the Susquehanna River Basin
24 Commission] any time subsequent to its creation, provided the
25 commission or authority agrees to contribute and does
26 contribute to the fund, from time to time, the moneys
27 required to build up the reserves necessary for the payment
28 of the annuities of such officers and employees without any
29 liability on the part of the Commonwealth to make
30 appropriations for such purposes, and provided in the case of

1 employees of the Interstate Commission of the Delaware River
2 Basin, that the employee shall have been a member of the
3 system for at least ten years prior to January 1, 1963.

4 (3) Any separate independent public corporation created
5 by statute, not including any municipal or quasi-municipal
6 corporation, so long as he remains an officer or employee of
7 such public corporation, and provided that such officer or
8 employee of such public corporation was an employee of the
9 Commonwealth immediately prior to his employment by such
10 corporation, and further provided such public corporation
11 shall agree to contribute and contributes to the fund, from
12 time to time, the moneys required to build up the reserves
13 necessary for the payment of the annuities of such officers
14 and employees without any liability on the part of the
15 Commonwealth to make appropriations for such purposes.

16 * * *

17 Section 2. The amendment of the definition of "State
18 employee" in 71 Pa.C.S. § 5102 shall apply to employees of the
19 Susquehanna River Basin Commission ~~hired~~ WHOSE MOST RECENT DATE <--
20 OF HIRE BY THE COMMISSION IS on or after the effective date of
21 this section.

22 Section 3. This act shall take effect immediately.