

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2649 Session of
1990

INTRODUCED BY HARPER, PESCI, DEMPSEY, TRELLO AND LASHINGER,
JUNE 6, 1990

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JUNE 6, 1990

AN ACT

1 Amending the act of May 23, 1945 (P.L.903, No.362), entitled "An
2 act authorizing cities of the third class to establish an
3 optional retirement system for officers and employes
4 independently of any pension system or systems existing in
5 such cities," further providing for contributions to fund.

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

8 Section 1. Section 5 of the act of May 23, 1945 (P.L.903,
9 No.362), entitled "An act authorizing cities of the third class
10 to establish an optional retirement system for officers and
11 employes independently of any pension system or systems existing
12 in such cities," amended October 19, 1967 (P.L.465, No.220), is
13 amended to read:

14 Section 5. The officers and employes of any city, creating
15 such fund and board, shall, upon the acceptance of this act, pay
16 unto said board monthly an amount equal to three (3) per centum
17 of their monthly salaries or wages, and if the council elects to
18 make such payments, an additional amount not to exceed one per
19 centum if deemed necessary by the council to provide sufficient

1 funds for payments to widows and widowers of members retired on
2 pension or killed in the service, except as hereinafter provided
3 concerning laborers, which shall be applied to the purpose of
4 this act.

5 [If any compensation be granted to a person who has not been
6 a contributor to the fund, as herein provided, for an aggregate
7 period of twenty (20) years, such person shall be required to
8 pay unto the board for the benefit of the fund, monthly, an
9 amount equal to three (3) per centum of his compensation until
10 such time as his contribution shall have been extended to a
11 period of twenty (20) years.]

12 If for any cause any person contributing to the fund who has
13 served less than twelve (12) years shall cease to be in the
14 service of the city, he shall become entitled to the total
15 amount of the contributions paid into the fund by him, without
16 interest. Any person, who has served for a period of less than
17 twenty (20) years, and who has not reached the age of fifty-five
18 (55) years, and who voluntarily retires from such service, shall
19 be entitled only to the return of his total contributions to the
20 fund without interest.

21 If for any cause any person contributing to the fund shall
22 cease to be in the service of any city before he shall have
23 become entitled to any compensation, the total amount of the
24 contributions paid into the fund by him shall be refunded, in
25 full, without interest: Provided, however, If any such person
26 shall have returned to him the amount contributed, as aforesaid,
27 and shall afterwards re-enter the service of the city, he shall
28 not be entitled to the compensation designated, unless he shall
29 return to the fund the amount withdrawn, in which event, the
30 required period of service under this act shall be computed from

1 the time he first entered the service of the city; otherwise the
2 date of his period of service shall commence upon re-entry. In
3 the event of the death of any person after he becomes entitled
4 to any compensation and has not elected to retire, the total
5 amount of contributions paid into the fund by him shall be paid
6 over to his estate, without interest.

7 Section 2. This act shall take effect in 60 days.