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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 1042** Session of  
1981

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INTRODUCED BY BELARDI, CAWLEY AND SERAFINI, MARCH 25, 1981

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 25, 1981

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AN ACT

1 Amending the act of September 23, 1959 (P.L.970, No.400),  
2 entitled "An act providing for the creation, maintenance and  
3 operation of an employees' retirement system in cities of the  
4 second class A, and imposing certain charges on cities of the  
5 second class A and school districts in cities of the second  
6 class A," further providing for certain military service in  
7 the armed services of the United States.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 12, act of September 23, 1959 (P.L.970,  
11 No.400), referred to as the Second Class A City Employe Pension  
12 Law, amended July 15, 1968 (P.L.342, No.167), is amended to  
13 read:

14 Section 12. Credit for Military Service; Payment into Fund;  
15 Reimbursement.--Any city employe who, on or after September 16,  
16 1940, has been employed by the city for a period of six months  
17 and who, on or subsequent to such date, shall have enlisted or  
18 been inducted into the military service of the United States in  
19 time of war, armed conflict or national emergency so proclaimed  
20 by the President or the Congress of the United States, shall

1 have credited to his employment record, for retirement benefits,  
2 all of the time spent by him in such military service during the  
3 continuance of such war, armed conflict, or national emergency,  
4 and such payments as were heretofore or shall hereafter be  
5 required to be made during such period by such city employe into  
6 the city employes' retirement fund shall be paid into such fund  
7 by the city. Any employes who have made payments into the city  
8 employes' retirement fund, for which payments the city is liable  
9 under the provisions of this act, shall be reimbursed by the  
10 city to the full extent of such payments or be given credit  
11 towards future payments under this act.

12 Any member of the pension fund who has been a member for at  
13 least five years and who is a contributor and who served in the  
14 armed forces of the United States subsequent to September 1,  
15 1940, and who was not a member of the pension fund prior to such  
16 military service, [and who commenced employment in city service  
17 within three years from date of release from active duty,] may,  
18 as the city or school district shall determine, be entitled to  
19 have full credit for each year or fraction thereof, not to  
20 exceed five years of such military service upon his payment to  
21 the pension fund an amount equal to that which he would have  
22 paid had he been a member during the period for which he desires  
23 credit, computed with reference to the compensation he received  
24 upon entry into city service and his current percentage of  
25 salary deductions, and an additional amount as the equivalent of  
26 the contributions of the city and school district on account of  
27 such military service, which amount may be paid in a lump sum or  
28 by installments as may be approved by the board.

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