

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 808

Session of
1983

INTRODUCED BY ZEMPRELLI, ROMANELLI AND SCANLON, JUNE 6, 1983

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 29, 1983

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,
2 as amended, "An act relating to counties of the second class
3 and second class A; amending, revising, consolidating and
4 changing the laws relating thereto," further providing for
5 the definition of "early retirement"; further providing for
6 eligibility for retirement allowances; ~~and~~ further providing <—
7 for survivorship option benefits; AND FURTHER PROVIDING FOR <—
8 CREDIT FOR PREVIOUS SERVICE.

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

11 Section 1. The definition of "early retirement" in section
12 1701 of the act of July 28, 1953 (P.L.723, No.230), known as the
13 Second Class County Code, amended June 1, 1973 (P.L.37, No.19),
14 is amended to read:

15 Section 1701. Definitions.--The following words and phrases
16 as used in this article shall be construed to have the following
17 meaning:

18 * * *

19 "Early Retirement," reduced retirement benefits at age fifty-

1 five with completion of [eight] the minimum number of years of
2 service specified in subsection (a) of section 1710 depending
3 upon the service requirements for normal retirement.

4 * * *

5 Section 2. Section 1710(a), (B), (h) and (i) of the act, (a) <—
6 and (h) amended June 1, 1973 (P.L.37, No.19), (B) AMENDED <—
7 DECEMBER 30, 1974 (P.L.1154, NO.367) and (i) added December 11,
8 1979 (P.L.494, No.105), are amended to read:

9 Section 1710. Employees Eligible for Retirement Allowances.--

10 (a) [Every present or future county employee who has reached the <—
11 age of sixty years or upwards and who has to his or her credit a
12 period of service of ~~eight~~ ~~fifteen~~ years but less than twenty <—
13 years] EVERY COUNTY EMPLOYEE WHO WAS INITIALLY HIRED ON OR PRIOR <—
14 TO THE EFFECTIVE DATE OF THIS AMENDATORY ACT, WHO HAS REACHED
15 THE AGE OF SIXTY YEARS OR UPWARDS AND WHO HAS TO HIS OR HER
16 CREDIT A PERIOD OF SERVICE OF EIGHT YEARS, BUT LESS THAN TWENTY
17 YEARS, OR EVERY COUNTY EMPLOYEE WHO WAS HIRED AFTER THE EFFECTIVE
18 DATE OF THIS AMENDATORY ACT, WHO HAS REACHED THE AGE OF SIXTY-
19 FIVE YEARS OR UPWARDS AND WHO HAS TO HIS OR HER CREDIT A PERIOD
20 OF SERVICE OF TEN YEARS, BUT LESS THAN TWENTY YEARS shall, upon
21 application to the board, be retired from service, and shall
22 thereafter receive, during life, except as hereinafter provided,
23 a retirement allowance computed on a service period of twenty
24 (20) years which shall equal one twentieth (1/20) of such amount
25 as he or she may be eligible to receive in accordance with the
26 provisions of subsection (a) of section 1712, for each year's
27 service which such county employee may have to his or her credit
28 during the aforesaid period of time. The time spent in the
29 employ of the county or county institution district need not
30 necessarily have been continuous. The aforesaid retirement

1 allowance shall be subject to a suspension thereof in accordance
2 with the provisions of subsection (h) of this section 1710 and
3 subsection (c) of section 1712.

4 (B) [EVERY PRESENT OR FUTURE COUNTY EMPLOYE, OTHER THAN A <—
5 MEMBER OF THE POLICE FORCE OR THE FIRE DEPARTMENT OR A FIRE
6 INSPECTOR, WHO HAS REACHED THE AGE OF SIXTY YEARS OR UPWARDS AND
7 WHO SHALL HAVE BEEN A COUNTY EMPLOYE DURING A PERIOD OF TWENTY
8 OR MORE YEARS, AND EVERY COUNTY EMPLOYE WHO IS A MEMBER OF THE
9 POLICE FORCE OR THE FIRE DEPARTMENT OR A FIRE INSPECTOR, AND WHO
10 SHALL HAVE BEEN A COUNTY EMPLOYE DURING A PERIOD OF TWENTY OR
11 MORE YEARS AND HAS REACHED THE AGE OF FIFTY YEARS OR UPWARD,]
12 EVERY COUNTY EMPLOYE, OTHER THAN A MEMBER OF THE POLICE FORCE OR
13 THE FIRE DEPARTMENT OR A FIRE INSPECTOR, WHO WAS INITIALLY HIRED
14 ON OR PRIOR TO THE EFFECTIVE DATE OF THIS AMENDATORY ACT, WHO
15 HAS REACHED THE AGE OF SIXTY YEARS OR UPWARDS AND WHO HAS TO HIS
16 OR HER CREDIT A PERIOD OF SERVICE OF EIGHT YEARS, BUT LESS THAN
17 TWENTY YEARS OR EVERY COUNTY EMPLOYE, OTHER THAN A MEMBER OF THE
18 POLICE OR THE FIRE DEPARTMENT OR A FIRE INSPECTOR, WHO WAS HIRED
19 AFTER THE EFFECTIVE DATE OF THIS AMENDATORY ACT, WHO HAS REACHED
20 THE AGE OF SIXTY-FIVE YEARS OR UPWARDS, AND WHO HAS TO HIS OR
21 HER CREDIT A PERIOD OF SERVICE OF TEN YEARS, BUT LESS THAN
22 TWENTY YEARS AND EVERY COUNTY EMPLOYE WHO IS A MEMBER OF THE
23 POLICE FORCE OR THE FIRE DEPARTMENT OR A FIRE INSPECTOR, AND WHO
24 SHALL HAVE BEEN A COUNTY EMPLOYE DURING A PERIOD OF TWENTY OR
25 MORE YEARS AND HAS REACHED THE AGE OF FIFTY YEARS OR UPWARDS
26 SHALL, UPON APPLICATION TO THE BOARD, BE RETIRED FROM SERVICE,
27 AND SHALL THEREAFTER RECEIVE, DURING LIFE, EXCEPT AS HEREINAFTER
28 PROVIDED, A RETIREMENT ALLOWANCE PLUS A SERVICE INCREMENT IF
29 ANY, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1712. THE TIME
30 SPENT IN THE EMPLOY OF THE COUNTY OR COUNTY INSTITUTION DISTRICT

1 NEED NOT NECESSARILY HAVE BEEN CONTINUOUS: PROVIDED, THAT WHEN
2 ANY COUNTY EMPLOYE HAS TWENTY OR MORE YEARS SERVICE, NOT
3 NECESSARILY CONTINUOUS, AND HAS REACHED THE AGE OF FIFTY YEARS
4 OR UPWARDS, AND SHALL BE SEPARATED FROM THE SERVICE OF THE
5 COUNTY OR COUNTY INSTITUTION DISTRICT BY REASON OF NO CAUSE OR
6 ACT OF HIS OR HER OWN, UPON APPLICATION TO THE BOARD HE OR SHE
7 SHALL THEREAFTER RECEIVE, DURING LIFE, EXCEPT AS HEREINAFTER
8 PROVIDED, A RETIREMENT ALLOWANCE PLUS A SERVICE INCREMENT IF
9 ANY, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1712. THE
10 AFORESAID RETIREMENT ALLOWANCE PLUS A SERVICE INCREMENT IF ANY,
11 SHALL BE SUBJECT TO A SUSPENSION THEREOF IN ACCORDANCE WITH THE
12 PROVISIONS OF SUBSECTION (H) OF THIS SECTION 1710 AND SUBSECTION
13 (C) OF SECTION 1712.

14 * * *

15 (h) Option I. Any present or future county employe who has
16 reached fifty years of age but less than sixty OR SIXTY-FIVE, <—
17 WHICHEVER IS APPLICABLE, and who has to his or her credit a
18 period of [eight years] at least the minimum number of years of
19 service specified in subsection (a) of this section but less
20 than twenty years of service, shall upon application to the
21 board be eligible to receive at age sixty OR SIXTY-FIVE years, <—
22 WHICHEVER IS APPLICABLE, a retirement allowance computed on a
23 service period of twenty years, which shall equal one-twentieth
24 of such amount as he or she may be eligible to receive in
25 accordance with the provisions of subsection (a) of section 1712
26 for each year's service which such county employe may have to
27 his or her credit during the aforesaid period of time. The time
28 spent in the employ of the county or county institution district
29 need not necessarily have been continuous.

30 Option II. Any present or future county employe who has

1 reached fifty years of age but less than sixty OR SIXTY-FIVE, <—
2 WHICHEVER IS APPLICABLE, and who has to his or her credit a
3 period of [eight years] the minimum number of years of service
4 specified in subsection (a) of this section but less than twenty
5 years of service, shall upon application to the board be
6 eligible to receive thereafter, a retirement computed on a
7 service period of twenty years, which shall equal one-twentieth
8 of such amount as he or she may be eligible to receive in
9 accordance with the provisions of subsection (a) of section 1712
10 for each year's service which such county employe may have to
11 his or her credit during the aforesaid period of time. Further,
12 the above retirement allowance shall be subject to a reduction
13 of one-half of one per centum for each month under the age of
14 sixty OR SIXTY-FIVE years, WHICHEVER IS APPLICABLE. In no event <—
15 shall a retirement allowance be paid until the age of fifty-five
16 years is attained. The time spent in the employ of the county or
17 county institution district need not necessarily have been
18 continuous. The aforesaid retirement allowance elected under
19 Option I shall become null and void if said county or county
20 institution district employe is reemployed prior to age sixty in
21 accordance with the provisions of subsection (c) of section
22 1712.

23 (i) Upon application to the board, all members of the fund
24 who are contributors and who served in the Armed Forces of the
25 United States subsequent to September 1, 1940, shall be entitled
26 to have full military service credit for each of the most recent
27 years of military service or fraction thereof, not to exceed
28 three full years of such service; provided, they have a
29 retirement credit of [eight years] the minimum number of years
30 specified in subsection (a) of this section or more and have

1 reached the age of fifty years while employed or have
2 accumulated a period of twenty years of retirement credit and
3 under the age of fifty years. The formula to be followed for
4 payment to the fund shall be in an amount equal to the maximum
5 rate of contribution had they been members of the fund plus an
6 additional amount as the equivalent of the county matching
7 appropriation, plus interest at the rate of six per centum per
8 year from the date of each year of credited military service to
9 date of repayment or by applying the employee's basic
10 contribution rate plus the county's normal contribution rate for
11 active members at the time of entry, subsequent to such military
12 service, of the employee into county service to his average
13 annual rate of compensation over the first three years of such
14 subsequent county service and multiplying the result by the
15 number of years and fractional part of a year of creditable
16 nonintervening military service being purchased, together with
17 interest during all periods of subsequent county service to date
18 of purchase. Should it be determined by the retirement board
19 that verifiable compensation data is not available it shall have
20 the discretion to determine which formula shall be used:
21 Provided, That said member is not entitled to receive, eligible
22 to receive now or in the future, or is receiving retirement
23 benefits for such service under a retirement system administered
24 and wholly or partially paid for by any other governmental
25 agency or private industry. Both principal and interest shall be
26 consolidated into one amount and paid in twelve or less equal
27 monthly installments. Full payment thereof shall be a condition
28 precedent to receive the benefits of the retirement allowance.
29 Only those employees who are active members of the retirement
30 fund on the effective date of this act shall be permitted to

1 avail themselves of either of these programs.

2 Those employees who became members of the retirement fund
3 after the effective date of this act, upon application to the
4 board, shall be entitled to have full military service credit
5 for each of the most recent years of military service or
6 fraction thereof, not to exceed three full years of such
7 service: Provided, They have a retirement credit of [eight
8 years] the minimum number of years specified in subsection (a)
9 of this section or more and have reached the age of fifty years
10 while employed or have accumulated a period of twenty years of
11 retirement credit and under the age of fifty years. Payment to
12 the fund shall be in an amount equal to the maximum rate of
13 contribution had they been members of the fund plus an
14 additional amount as the equivalent of the county matching
15 appropriation, plus interest at the rate of six per centum per
16 year from the date of each year of credited military service to
17 date of repayment: Provided, That said member is not entitled to
18 receive, eligible to receive now or in the future, or is
19 receiving retirement benefits for such service under a
20 retirement system administered and wholly or partially paid for
21 by any other governmental agency or private industry. Both
22 principal and interest shall be consolidated into one amount and
23 paid in twelve or less equal monthly installments. Full payment
24 thereof shall be a condition precedent to receive the benefits
25 of the retirement allowance.

26 Section 3. Section 1712(f) of the act, amended June 29, 1976
27 (P.L.461, No.116), is amended to read:

28 Section 1712. Amount of Retirement Allowances.--* * *

29 (f) The election by said county employe of the option as
30 provided in subsection (e) of this section shall be final on

1 attainment of age fifty or on later election prior to
2 retirement, and no further election shall be permitted:
3 Provided, That the election shall automatically be cancelled if
4 the county employe shall either be divorced or if his or her
5 spouse shall die, in each case before retirement benefits under
6 the option shall commence. In the event the designated spouse
7 shall predecease, or if a legal separation occurs, while on
8 retirement, the reduced retirement option benefit shall be
9 reinstated to the full amount had there been no option
10 exercised. Said reinstated amount to commence immediately upon
11 the death of the spouse so designated or upon satisfactory proof
12 of legal separation.

13 All present and future employes may elect to provide
14 survivorship option benefits for a spouse in the following
15 classifications if the following conditions are satisfied:

16 Class I. The deceased employe shall have attained the age of
17 fifty years and had completed [eight to] between the minimum
18 number of years of service specified in subsection (a) of
19 section 1710 and nineteen years of service and dies before
20 reaching the age of fifty-five years. The reduced retirement
21 option benefit to commence to the survivor at the time the
22 deceased employe would have attained the age of fifty-five
23 years. Said benefits to be paid in accordance with the
24 provisions set forth under subsection (d), Option II, of section
25 1713.

26 Class II. All present and future employes, who after
27 completion of twenty or more years of service and shall die
28 before reaching the age of fifty years, his or her spouse shall
29 be eligible to receive the reduced retirement option
30 immediately, in accordance with the provisions set forth under

1 subsection (d), Option II of section 1713.

2 * * *

3 ~~Section 4. This act shall apply only to employees hired~~ <—
4 ~~after the effective date of this act.~~

5 SECTION 4. SECTION 1715 OF THE ACT, AMENDED JUNE 29, 1976 <—
6 (P.L.461, NO.116) AND DECEMBER 11, 1979 (P.L.494, NO.105), IS
7 AMENDED TO READ:

8 SECTION 1715. REINSTATEMENT AND REQUIREMENTS FOR CREDIT FOR
9 PREVIOUS SERVICE.--(A) NO COUNTY EMPLOYE SHALL BE PERMITTED TO
10 WITHDRAW HIS OR HER CONTRIBUTIONS AS PAID INTO THE RETIREMENT
11 FUND UPON TRANSFER FROM ONE OFFICE, DEPARTMENT OR AGENCY TO
12 ANOTHER. ANY PERSON WHO HAS CEASED TO BE A COUNTY EMPLOYE AND
13 WHOSE CONTRIBUTIONS AS PAID INTO THE RETIREMENT FUND, HAVE BEEN
14 REFUNDED BY THE BOARD, IF SUCH PERSON HAS BEEN REEMPLOYED BY THE
15 COUNTY OR COUNTY INSTITUTION DISTRICT AND DESIRES TO BE GIVEN
16 CREDIT FOR PREVIOUS SERVICE AS A COUNTY EMPLOYE, HE OR SHE
17 SHALL, WITHIN TWO YEARS OF THE EFFECTIVE DATE OF [JUNE 1, 1979]
18 JANUARY 1, 1984, MAKE PAYMENT IN FULL OF THE AMOUNT REFUNDED,
19 WITH INTEREST AT THE LEGAL RATE, THE SAID INTEREST TO BE
20 COMPUTED FROM THE DATE OF THE REFUND TO THE DATE OF REPAYMENT.
21 UPON APPLICATION OF THE EMPLOYE DESIRING TO BE GIVEN CREDIT FOR
22 PREVIOUS SERVICE AS A COUNTY EMPLOYE AT LEAST SIXTY DAYS PRIOR
23 TO THE EXPIRATION OF THE PERIOD OF TWO YEARS FROM THE EFFECTIVE
24 DATE ABOVE, SUCH EMPLOYE SHALL BE PERMITTED TO MAKE PAYMENT IN
25 FULL OF THE AMOUNT REFUNDED, WITH INTEREST AT THE LEGAL RATE,
26 WITHIN AN ADDITIONAL PERIOD OF ONE YEAR. BOTH PRINCIPAL AND
27 INTEREST SHALL BE PAID INTO THE RETIREMENT FUND AT ONE TIME AND
28 IN ONE AMOUNT, OR, UPON APPROVAL OF THE BOARD, BOTH PRINCIPAL
29 AND INTEREST SHALL BE CONSOLIDATED INTO ONE AMOUNT AND PAID IN
30 TWENTY-FOUR OR LESS EQUAL MONTHLY INSTALLMENTS, PLUS INTEREST

1 PAYMENT ON MONTHLY BALANCES. WHENEVER THE TIME FOR PAYMENT IN
2 FULL HAS BEEN EXTENDED FOR AN ADDITIONAL PERIOD OF ONE YEAR, THE
3 PRINCIPAL AND INTEREST MAY BE PAID IN A TOTAL OF NOT MORE THAN
4 THIRTY-SIX EQUAL MONTHLY INSTALLMENTS. FULL PAYMENT THEREOF
5 SHALL BE A CONDITION PRECEDENT TO THE COUNTY EMPLOYE BEING
6 ELIGIBLE TO RECEIVE THE BENEFITS OF THE RETIREMENT ALLOWANCE
7 PLUS A SERVICE INCREMENT, IF ANY. SUCH COUNTY EMPLOYE SHALL MAKE
8 MONTHLY PAYMENTS INTO THE RETIREMENT FUND IN ACCORDANCE WITH THE
9 PROVISIONS OF SECTION 1708.

10 IF ANY PERSON WHO HEREAFTER BECOMES A COUNTY EMPLOYE AND
11 THEREAFTER CEASES TO BE A COUNTY EMPLOYE AND HIS OR HER
12 CONTRIBUTIONS AS PAID INTO THE RETIREMENT FUND ARE REFUNDED BY
13 THE BOARD, IS REEMPLOYED BY THE COUNTY OR COUNTY INSTITUTION
14 DISTRICT AND HE OR SHE DESIRES TO BE GIVEN CREDIT FOR PREVIOUS
15 SERVICE AS A COUNTY EMPLOYE, HE OR SHE SHALL WITHIN TWO YEARS OF
16 THE DATE OF REEMPLOYMENT, MAKE PAYMENT IN FULL OF THE AMOUNT
17 REFUNDED, WITH INTEREST AT THE LEGAL RATE, THE SAID INTEREST TO
18 BE COMPUTED FROM THE DATE OF REFUND TO THE DATE OF REPAYMENT.
19 UPON APPLICATION OF ANY PERSON WHO HEREAFTER BECOMES A COUNTY
20 EMPLOYE AND DESIRES TO BE GIVEN CREDIT FOR PREVIOUS SERVICE AS A
21 COUNTY EMPLOYE, AT LEAST SIXTY DAYS PRIOR TO COMPLETION OF A
22 PERIOD OF TWO YEARS FROM THE DATE OF REEMPLOYMENT, SUCH EMPLOYE
23 SHALL BE PERMITTED TO MAKE PAYMENT IN FULL OF THE AMOUNT
24 REFUNDED, WITH INTEREST AT THE LEGAL RATE, WITHIN AN ADDITIONAL
25 PERIOD OF ONE YEAR. BOTH PRINCIPAL AND INTEREST SHALL BE PAID
26 INTO THE RETIREMENT FUND AT ONE TIME AND IN ONE AMOUNT, OR, UPON
27 APPROVAL OF THE BOARD BOTH PRINCIPAL AND INTEREST SHALL BE
28 CONSOLIDATED INTO ONE AMOUNT AND PAID IN TWENTY-FOUR OR LESS
29 EQUAL MONTHLY INSTALLMENTS, PLUS INTEREST PAYMENTS ON MONTHLY
30 BALANCES. WHENEVER THE TIME FOR PAYMENT IN FULL HAS BEEN

1 EXTENDED FOR AN ADDITIONAL PERIOD OF ONE YEAR THE PRINCIPAL AND
2 INTEREST MAY BE PAID IN A TOTAL OF NOT MORE THAN THIRTY-SIX
3 EQUAL MONTHLY INSTALLMENTS. FULL PAYMENT THEREOF SHALL BE A
4 CONDITION PRECEDENT TO THE COUNTY EMPLOYE BEING ELIGIBLE TO
5 RECEIVE THE BENEFITS OF THE RETIREMENT ALLOWANCE PLUS A SERVICE
6 INCREMENT, IF ANY. SUCH COUNTY EMPLOYE SHALL MAKE MONTHLY
7 PAYMENTS INTO THE RETIREMENT FUND IN ACCORDANCE WITH THE
8 PROVISIONS OF SECTION 1708. ANY PERSON WHO IS A COUNTY EMPLOYE
9 ON THE EFFECTIVE DATE OF THIS ACT MAY MAKE PAYMENTS INTO THE
10 RETIREMENT FUND WHICH SHALL COVER A PERIOD OF TIME WITHIN WHICH
11 SUCH PERSON WAS A COUNTY EMPLOYE BUT WAS NOT A MEMBER OF THE
12 RETIREMENT SYSTEM BECAUSE SUCH MEMBERSHIP WAS NOT COMPULSORY.

13 (B) ANY PERSON WHO HAS HERETOFORE OR WHO HEREAFTER CEASES TO
14 BE A COUNTY EMPLOYE AND WHOSE CONTRIBUTIONS AS PAID INTO THE
15 RETIREMENT FUND, HAVE HERETOFORE OR SHALL HEREAFTER BE REFUNDED
16 BY THE BOARD, IF SUCH PERSON IS REEMPLOYED BY THE COUNTY OR
17 COUNTY INSTITUTION DISTRICT AND DESIRES TO BE GIVEN CREDIT FOR
18 PREVIOUS SERVICE AS A COUNTY EMPLOYE, EXCEPT AS HEREINAFTER
19 PROVIDED, HE OR SHE SHALL WITHIN TWO YEARS FROM THE DATE OF SUCH
20 REEMPLOYMENT MAKE PAYMENT IN FULL OF THE AMOUNT REFUNDED, WITH
21 INTEREST AT THE LEGAL RATE, THE SAID INTEREST TO BE COMPUTED
22 FROM THE DATE OF THE REFUND TO THE DATE OF REPAYMENT. BOTH
23 PRINCIPAL AND INTEREST SHALL BE PAID INTO THE RETIREMENT FUND AT
24 ONE TIME AND IN ONE AMOUNT, OR, UPON APPROVAL OF THE BOARD, BOTH
25 PRINCIPAL AND INTEREST SHALL BE CONSOLIDATED INTO ONE AMOUNT AND
26 PAID IN TWENTY-FOUR OR LESS EQUAL MONTHLY INSTALLMENTS, PLUS
27 INTEREST PAYMENT ON MONTHLY BALANCES. FULL PAYMENT THEREOF SHALL
28 BE A CONDITION PRECEDENT TO THE COUNTY EMPLOYE BEING ELIGIBLE TO
29 RECEIVE THE BENEFITS OF THE RETIREMENT ALLOWANCE PLUS A SERVICE
30 INCREMENT, IF ANY. SUCH COUNTY EMPLOYE SHALL MAKE MONTHLY

1 PAYMENTS INTO THE RETIREMENT FUND IN ACCORDANCE WITH THE
2 PROVISIONS OF SECTION 1708. NO PERSON REEMPLOYED AS A COUNTY
3 EMPLOYE IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBSECTION
4 SHALL BE ELIGIBLE TO RECEIVE A RETIREMENT ALLOWANCE BY REASON OF
5 TOTAL AND PERMANENT PHYSICAL DISABILITY, IN ACCORDANCE WITH THE
6 PROVISIONS OF SECTION 1711, UNLESS HE OR SHE SHALL BE IN EMPLOY
7 FOR A PERIOD OF NOT LESS THAN TWENTY YEARS, WHICH SAID PERIOD OF
8 EMPLOYMENT SHALL INCLUDE CREDIT GIVEN FOR PREVIOUS SERVICE, AS
9 HEREIN PROVIDED. NO PERSON WHO IS INELIGIBLE TO BECOME A MEMBER
10 OF THE RETIREMENT SYSTEM SHALL BE ELIGIBLE TO RECEIVE CREDIT FOR
11 PREVIOUS SERVICE AS A COUNTY EMPLOYE, AS HEREINBEFORE PROVIDED.

12 (C) ANY COUNTY EMPLOYE WHO DESIRES TO BE GIVEN CREDIT FOR
13 PREVIOUS SERVICE IN THE EMPLOY OF THE COUNTY AS AN ELECTED OR
14 APPOINTED EMPLOYE OR OFFICIAL, WHERE SUCH SERVICE SUBSEQUENT TO
15 THE FIRST DAY OF JANUARY, ONE THOUSAND NINE HUNDRED FORTY, WAS
16 RENDERED TO THE COUNTY AT A TIME WHEN SUCH EMPLOYE OR OFFICIAL
17 WAS NOT A MEMBER OF THE COUNTY EMPLOYEES' RETIREMENT SYSTEM,
18 SHALL, ON OR PRIOR TO [JANUARY 1, 1977] JANUARY 1, 1986, MAKE
19 APPLICATION TO THE BOARD, AND UPON APPROVAL THEREOF SHALL PAY
20 INTO THE RETIREMENT FUND A SUM EQUAL TO TWICE THE PAYMENT WHICH
21 SUCH EMPLOYE WOULD HAVE MADE HAD SUCH PERSON BEEN A MEMBER
22 THEREOF AND HAD THE PAYMENTS BEEN MADE IN ACCORDANCE WITH THE
23 PROVISION OF THIS ARTICLE. IN ADDITION THERETO, INTEREST AT THE
24 LEGAL RATE SHALL BE PAID FROM THE DATE WHEN THE SAID MONTHLY
25 PAYMENT WOULD HAVE BEEN MADE. BOTH PRINCIPAL AND INTEREST SHALL
26 BE PAID INTO THE RETIREMENT FUND AT ONE TIME AND IN ONE AMOUNT,
27 OR, UPON APPROVAL OF THE BOARD, BOTH PRINCIPAL AND INTEREST
28 SHALL BE CONSOLIDATED INTO ONE AMOUNT AND PAID IN TWENTY-FOUR OR
29 LESS EQUAL MONTHLY INSTALLMENTS, PLUS INTEREST PAYMENT ON
30 MONTHLY BALANCES. FULL PAYMENT THEREOF SHALL BE A CONDITION

1 PRECEDENT TO THE COUNTY EMPLOYE BEING ELIGIBLE TO RECEIVE THE
2 BENEFITS OF THE RETIREMENT ALLOWANCES. SUCH COUNTY EMPLOYE SHALL
3 MAKE MONTHLY PAYMENTS INTO THE RETIREMENT FUND IN ACCORDANCE
4 WITH THE PROVISIONS OF SECTION 1708.

5 (D) ANY PERSON EMPLOYED BY ANY COUNTY CORRECTIONAL
6 INSTITUTION AT THE DATE SUCH PERSON BECAME ELIGIBLE FOR
7 MEMBERSHIP IN THE COUNTY EMPLOYEES' RETIREMENT SYSTEM, WHO
8 DESIRES TO BE GIVEN CREDIT FOR PREVIOUS SERVICE IN THE EMPLOY OF
9 SUCH INSTITUTION WHEN SUCH EMPLOYE WAS NOT ELIGIBLE FOR
10 MEMBERSHIP, SHALL, ON OR PRIOR TO [JANUARY 1, 1976] JANUARY 1,
11 1986, MAKE APPLICATION TO THE BOARD, AND UPON APPROVAL THEREOF
12 SHALL PAY INTO THE RETIREMENT FUND A SUM EQUAL TO TWICE THE
13 PAYMENT WHICH SUCH EMPLOYE WOULD HAVE MADE HAD SUCH PERSON BEEN
14 A MEMBER THEREOF AND HAD THE PAYMENTS BEEN MADE IN ACCORDANCE
15 WITH THE PROVISIONS OF THIS ARTICLE. IN ADDITION THERETO,
16 INTEREST AT THE LEGAL RATE SHALL BE PAID FROM THE DATE WHEN THE
17 SAID MONTHLY PAYMENT WOULD HAVE BEEN MADE. BOTH PRINCIPAL AND
18 INTEREST SHALL BE PAID INTO THE RETIREMENT FUND AT ONE TIME AND
19 IN ONE AMOUNT, OR UPON APPROVAL OF THE BOARD, BOTH PRINCIPAL AND
20 INTEREST SHALL BE CONSOLIDATED INTO ONE AMOUNT AND PAID IN
21 TWENTY-FOUR OR LESS EQUAL MONTHLY INSTALLMENTS, PLUS INTEREST
22 PAYMENT ON MONTHLY BALANCES. FULL PAYMENT THEREOF SHALL BE A
23 CONDITION PRECEDENT TO THE COUNTY EMPLOYE BEING ELIGIBLE TO
24 RECEIVE THE BENEFITS OF THE RETIREMENT ALLOWANCES. SUCH COUNTY
25 EMPLOYE SHALL MAKE MONTHLY PAYMENT INTO THE RETIREMENT FUND IN
26 ACCORDANCE WITH THE PROVISIONS OF SECTION 1708.

27 (E) ANY COUNTY EMPLOYE WHO DESIRES TO BE GIVEN CREDIT FOR
28 PREVIOUS SERVICE IN THE EMPLOY OF THE COUNTY AS AN ELECTED OR
29 APPOINTED EMPLOYE OR OFFICIAL, WHERE SUCH SERVICE WAS INELIGIBLE
30 SERVICE AND WAS NOT PERMITTED MEMBERSHIP IN THE RETIREMENT

1 SYSTEM, SHALL ON OR BEFORE DECEMBER 31, 1973 MAKE APPLICATION TO
2 THE BOARD, AND UPON APPROVAL THEREOF SHALL PAY INTO THE
3 RETIREMENT FUND A SUM EQUAL TO THE PAYMENT WHICH SUCH EMPLOYEE
4 WOULD HAVE MADE IN ACCORDANCE WITH THE PROVISIONS OF THIS
5 ARTICLE. IN ADDITION, THERETO, INTEREST SHALL BE PAID AT THE
6 RATE OF SIX PER CENTUM INTO THE RETIREMENT FUND AT ONE TIME AND
7 IN ONE AMOUNT, OR, UPON APPROVAL OF THE BOARD, BOTH PRINCIPAL
8 AND INTEREST SHALL BE CONSOLIDATED INTO ONE AMOUNT AND PAID IN
9 FULL PRIOR TO JANUARY 1, 1974. FULL PAYMENT THEREOF SHALL BE A
10 CONDITION PRECEDENT TO THE COUNTY EMPLOYEE BEING ELIGIBLE TO
11 RECEIVE THE BENEFITS OF THE RETIREMENT ALLOWANCES. SUCH COUNTY
12 EMPLOYEE SHALL MAKE MONTHLY PAYMENTS INTO THE RETIREMENT FUND IN
13 ACCORDANCE WITH THE PROVISIONS OF SECTION 1708.

14 Section 5. This act shall take effect in 60 days.