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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 899

Session of  
1983

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INTRODUCED BY CORMAN, STOUT, SHAFFER, RHOADES AND SINGEL,  
JUNE 27, 1983

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REFERRED TO LOCAL GOVERNMENT, JUNE 27, 1983

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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," eliminating mandatory  
5 retirement below the age of 70.

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

8 Section 1. Section 1519 of the act of July 28, 1953  
9 (P.L.723, No.230), known as the Second Class County Code,  
10 amended December 30, 1974 (P.L.1154, No.367), is amended to  
11 read:

12 Section 1519. Reduction in Number of Policemen, Firemen or  
13 Fire Inspectors; Reinstatement.--If, for reasons of economy or  
14 other reasons, it shall be deemed necessary by the board of  
15 county commissioners to reduce the number of policemen in the  
16 police force or firemen or fire inspectors, then [such reduction  
17 in numbers shall be made in the following manner: (1) if there  
18 are any policemen, firemen or fire inspectors eligible for  
19 retirement under the terms of any retirement or pension system

1 or law, then such reduction in numbers shall be made by  
2 retirement, if the party to be retired has served in the police  
3 force or as a fireman or fire inspector for a period of at least  
4 twenty-five years and reached the age of fifty-five years or  
5 over; (2) if the number of policemen, firemen or fire inspectors  
6 eligible for retirement is insufficient to effect the reduction  
7 in numbers decided upon by the board of county commissioners, or  
8 if no retirement or pension system or law exists, or if there  
9 are no policemen, firemen or fire inspectors eligible for  
10 retirement or pension, then] the reduction shall be made by  
11 furloughing the last policeman, fireman or fire inspector,  
12 including the probationers, that have been appointed to the  
13 police force or as fireman or fire inspector, and continue in  
14 numerical order until the reduction decided upon by the board of  
15 county commissioners has been effected. In any case where there  
16 has been more than one employe appointed at the same time, then  
17 such furloughing shall be determined by the standing on the  
18 civil service list as hired, the individual having the lowest  
19 civil service score to be furloughed first. In the event the  
20 said police force, firemen or fire inspectors shall again be  
21 increased in numbers, then the employes furloughed shall be  
22 reinstated, in the inverse order of that in which they were  
23 furloughed, before any new appointments shall be made to the  
24 police force or as firemen or fire inspectors.

25 Section 2. Section 1710(a) and (b) of the act, (a) amended  
26 June 1, 1973 (P.L.37, No.19) and (b) amended December 30, 1974  
27 (P.L.1154, No.367), are amended to read:

28 Section 1710. Employes Eligible for Retirement Allowances.--  
29 (a) Every present or future county employe who has reached the  
30 age of sixty years or upwards and who has to his or her credit a

1 period of service of eight years but less than twenty years  
2 shall, upon application to the board, be [retired] eligible for  
3 retirement from service, and shall thereafter receive, during  
4 life, except as hereinafter provided, a retirement allowance  
5 computed on a service period of twenty (20) years which shall  
6 equal one twentieth (1/20) of such amount as he or she may be  
7 eligible to receive in accordance with the provisions of  
8 subsection (a) of section 1712, for each year's service which  
9 such county employe may have to his or her credit during the  
10 aforesaid period of time. The time spent in the employ of the  
11 county or county institution district need not necessarily have  
12 been continuous. The aforesaid retirement allowance shall be  
13 subject to a suspension thereof in accordance with the  
14 provisions of subsection (h) of this section 1710 and subsection  
15 (c) of section 1712.

16 (b) Every present or future county employe, other than a  
17 member of the police force or the fire department or a fire  
18 inspector, who has reached the age of sixty years or upwards and  
19 who shall have been a county employe during a period of twenty  
20 or more years, and every county employe who is a member of the  
21 police force or the fire department or a fire inspector, and who  
22 shall have been a county employe during a period of twenty or  
23 more years and has reached the age of fifty years or upward,  
24 shall, upon application to the board, be [retired] eligible for  
25 retirement from service, and shall thereafter receive, during  
26 life, except as hereinafter provided, a retirement allowance  
27 plus a service increment if any, in accordance with the  
28 provisions of section 1712. The time spent in the employ of the  
29 county or county institution district need not necessarily have  
30 been continuous: Provided, That when any county employe has

1 twenty or more years service, not necessarily continuous, and  
2 has reached the age of fifty years or upwards, and shall be  
3 separated from the service of the county or county institution  
4 district by reason of no cause or act of his or her own, upon  
5 application to the board he or she shall thereafter receive,  
6 during life, except as hereinafter provided, a retirement  
7 allowance plus a service increment if any, in accordance with  
8 the provisions of section 1712. The aforesaid retirement  
9 allowance plus a service increment if any, shall be subject to a  
10 suspension thereof in accordance with the provisions of  
11 subsection (h) of this section 1710 and subsection (c) of  
12 section 1712.

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14 Section 3. This act shall take effect in 60 days.