

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2315 Session of
1986

INTRODUCED BY BELARDI AND CAWLEY, MARCH 19, 1986

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 19, 1986

AN ACT

1 Amending the act of May 7, 1965 (P.L.48, No.38), entitled "A
2 supplement to the act of May 28, 1915 (P.L.596, No.259),
3 entitled 'An act requiring cities of the second class to
4 establish a pension fund for employes of said cities, and
5 regulating the administration and the payment of such
6 pensions,' as to employes of second class A cities, reducing
7 the number of years of employment to qualify for a pension;
8 and increasing pension payments and contributions," further
9 providing for certain pension amounts and contributions.

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

12 Section 1. Section 2 of the act of May 7, 1965 (P.L.48,
13 No.38), entitled "A supplement to the act of May 28, 1915
14 (P.L.596, No.259), entitled 'An act requiring cities of the
15 second class to establish a pension fund for employes of said
16 cities, and regulating the administration and the payment of
17 such pensions,' as to employes of second class A cities,
18 reducing the number of years of employment to qualify for a
19 pension; and increasing pension payments and contributions,"
20 amended July 17, 1970 (P.L.494, No.172), is amended to read:

21 Section 2. (a) During the lifetime of the said person, he

1 or she shall be entitled to receive a pension from the fund set
2 aside for the purpose, at a rate equal to seventy-five per
3 centum of the amount which would constitute the average rate of
4 pay received during the last five years of his or her employment
5 by the said city, payable monthly, but in no case shall the
6 pension payable to any one payable employe exceed [two hundred
7 fifty dollars (\$250)] three hundred fifty dollars (\$350), a
8 month. Such pension shall be payable to any person so employed
9 for fifteen years or more by the city when such person shall
10 attain the age of fifty-five years; should any person so
11 employed, after fifteen years of service, voluntarily retire, be
12 dismissed, or be in any way deprived of his or her employment
13 with the city before attaining the age of fifty-five years, he
14 or she shall be entitled to the pension after retirement upon
15 continuing a monthly payment to the fund equal to the last
16 amount due and payable while in active service. If any pension
17 be granted to a person who has not been a contributor to the
18 pension fund as herein provided for the period of twenty years
19 but has contributed for at least fifteen years, such person
20 shall be required to pay unto the board of pensions an amount
21 equal to three per centum of the last monthly salary paid to
22 such person, but not in excess of [six dollars (\$6)] twelve
23 dollars (\$12) per month, multiplied by the number of months
24 necessary to complete the twenty-year period, with interest, or
25 in the alternative, after so computing the amount needed to
26 complete the twenty-year period, the board may withhold the
27 payment of pension until such amount has been refunded to the
28 board of pensions.

29 (b) In the event any employe becomes totally and permanently
30 disabled after ten years of service and before attaining the age

1 of fifty-five years, he or she shall forthwith be entitled to
2 such pension upon making the contribution as aforesaid. Proof of
3 total and permanent disability shall consist of a sworn
4 statement of three practicing physicians designated by the board
5 that the employe is in a permanent condition of health which
6 would totally disable him or her from performing the duties of
7 his or her position or office. The board of pensions may, not
8 more frequently than once a year, require a disability pensioner
9 to undergo a medical examination by three physicians appointed
10 by the board, and should such physicians thereupon report and
11 certify to the board that such beneficiary is no longer
12 incapacitated, and should the pension board concur in such
13 report, the pension of such beneficiary shall be discontinued.

14 Section 2. Section 3 of the act is amended to read:

15 Section 3. The city employes and contributing members to the
16 fund shall after the passage of this act pay unto the board of
17 pensions monthly an amount equal to three per centum of their
18 monthly salaries or wages, in no event, however, paying at a
19 rate greater than [six dollars (\$6)] twelve dollars (\$12) a
20 month, which shall be applied to the purpose of this act.

21 Payment of the monthly amount or contribution herein mentioned
22 shall cease and be discontinued at the time the beneficiary
23 receives the pension herein provided, except for contributions
24 required to be made to complete a twenty-year period of
25 contribution, as provided in subsections (a) and (b) of section
26 2 of this act. If for any cause an employe contributing to the
27 pension fund shall cease to be an employe of any such city of
28 the second class A before said employe becomes entitled to the
29 pensions conferred by this act, the total amount of the
30 contributions paid into the pension fund by such employe shall

1 be refunded to him or her in full, without interest; provided,
2 however, if any such employe shall have returned to him or her
3 the amount contributed as aforesaid and shall afterward re-enter
4 the employ of such city, said employe shall not be entitled to
5 the pension designated until twenty years after said re-
6 employment unless he or she shall return to the pension fund the
7 amount withdrawn, plus interest, in which event the period of
8 twenty years shall be computed from the time said employe first
9 entered the service of said city. In the event of the death of
10 any such employe before the said employe becomes entitled to the
11 pension aforesaid, the said total amount of contributions
12 aforesaid shall be paid over to the estate of the said deceased
13 employe or his or her designated beneficiary. In the event of
14 the death of any employe collecting the pension aforesaid, the
15 total amount of contributions over and above that paid to the
16 deceased employe shall be paid over to the estate of the said
17 deceased employe, or his or her designated beneficiary.

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