

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1263 Session of  
1987

INTRODUCED BY HERMAN, CAWLEY, NOYE, PETRARCA, E. Z. TAYLOR,  
HALUSKA, J. L. WRIGHT, RUDY, SHOWERS, DONATUCCI, REBER AND  
FOX, MAY 4, 1987

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 4, 1987

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania  
2 Consolidated Statutes, adding provisions relating to credited  
3 service as a retirement incentive.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 5302 of Title 71 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subsection to read:  
8 § 5302. Credited State service.

9 \* \* \*

10 (d) Credited service as retirement incentive.--  
11 Notwithstanding any provisions of this title to the contrary,  
12 for the period only of June 30, 1987, through September 30,  
13 1987, any active member having at least ten eligibility points  
14 who has attained age 55 and, upon termination of service, has  
15 filed with the board an application for retirement shall be  
16 credited with an additional three years of Class A service. This  
17 subsection shall not apply in the case of judges or justices,  
18 legislators or other elected officials.

1 Section 2. Section 5706(a) of Title 71 is amended to read:

2 § 5706. Termination of annuities.

3 (a) General rule.--If the annuitant returns to State service  
4 or enters school service and elects multiple service membership,  
5 any annuity payable to him under this part shall cease and in  
6 the case of an annuity other than a disability annuity the  
7 present value of such annuity, adjusted for full coverage in the  
8 case of a joint coverage member who makes the appropriate back  
9 contributions for full coverage, shall be frozen as of the date  
10 such annuity ceases. An annuitant who is credited with an  
11 additional three years of Class A service as provided in section  
12 5302(d) (relating to credited service as retirement incentive)  
13 and who returns to State service shall forfeit such credited  
14 service and shall have his frozen present value adjusted  
15 accordingly. In the event that the cost-of-living increase  
16 enacted December 18, 1979 occurred during the period of such  
17 State or school employment, the frozen present value shall be  
18 increased, on or after the member attains superannuation age, by  
19 the percent applicable had he not returned to service. This  
20 subsection shall not apply in the case of any annuitant who may  
21 render services to the Commonwealth in the capacity of an  
22 independent contractor or as a member of an independent board or  
23 commission or as a member of a departmental administrative or  
24 advisory board or commission when such members of independent or  
25 departmental boards or commissions are compensated on a per diem  
26 basis for not more than 100 days per calendar year.

27 \* \* \*

28 Section 3. This act shall take effect immediately.