

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1224 Session of
2001

INTRODUCED BY DENT, M. WHITE, WAUGH, BELL, BODACK, WOZNIAK,
TARTAGLIONE, HELFRICK, O'PAKE, STOUT, KUKOVICH, THOMPSON,
BOSCOLA AND COSTA, DECEMBER 21, 2001

REFERRED TO FINANCE, DECEMBER 21, 2001

AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled
2 "An act relating to cities of the third class; and amending,
3 revising, and consolidating the law relating thereto,"
4 further providing for allowances and service increments and
5 for pensions and service increments.

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

8 Section 1. Section 4303(a) of the act of June 23, 1931
9 (P.L.932, No.317), known as The Third Class City Code, reenacted
10 and amended June 28, 1951 (P.L.662, No.164) and amended December
11 17, 1990 (P.L.715, No.178), is amended to read:

12 Section 4303. Allowances and Service Increments.--(a)
13 Payments for allowances shall not be a charge on any other fund
14 in the treasury of the city or under its control save the police
15 pension fund herein provided for. The basis of the apportionment
16 of the pension shall be determined by the rate of the monthly
17 pay of the member at the date of injury, death, honorable
18 discharge, vesting under section 4302.1 or retirement, or the
19 highest average annual salary which the member received during

1 any five years of service preceding injury, death, honorable
2 discharge, vesting under section 4302.1 or retirement, whichever
3 is the higher, and except as to service increments provided for
4 in subsection (b) of this section, shall [not in any case exceed
5 in any year] be no less than one-half the annual pay of such
6 member computed at such monthly or average annual rate,
7 whichever is the higher.

8 * * *

9 Section 2. Section 4322(a) of the act, amended June 16, 1993
10 (P.L.97, No.21), is amended to read:

11 Section 4322. Pensions and Service Increments.--(a)
12 Payments of pensions shall not be a charge on any fund in the
13 treasury of the city or under its control save the firemen's
14 pension fund herein provided for. The basis of the pension of a
15 member shall be determined by the monthly salary of the member
16 at the date of vesting under section 4320.1 or retirement, or
17 the highest average annual salary which he received during any
18 five years of service preceding retirement, whichever is the
19 higher, whether for disability, or by reason of age or service,
20 and except as to service increments provided for in subsection
21 (b) of this section, shall be no less than one-half the annual
22 salary of such member at the time of vesting under section
23 4320.1 or retirement computed at such monthly or average annual
24 rate, whichever is the higher. In the case of the payment of
25 pensions to members for permanent injury incurred in service,
26 and to families of members killed or who die in service, the
27 amount and commencement of the payment of pensions shall be
28 fixed by regulations of the board. Such regulations shall not
29 take into consideration the amount and duration of workmen's
30 compensation allowed by law. Payments to surviving spouses of

1 members retired on pension or killed in the service on or after
2 January 1, 1960, or who die in the service on or after January
3 1, 1968, shall be the amount payable to the member or which
4 would have been payable had he been retired at the time of his
5 death.

6 * * *

7 Section 3. This act shall take effect immediately.