
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 610 Session of
2003

INTRODUCED BY TARTAGLIONE, KITCHEN, COSTA, KUKOVICH, ERICKSON,
LOGAN, RHOADES AND SCHWARTZ, APRIL 21, 2003

REFERRED TO FINANCE, APRIL 21, 2003

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania
2 Consolidated Statutes, providing for creditable nonstate
3 service for certain former municipal and county employees.

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

6 Section 1. Section 5304(c) of Title 71 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5304. Creditable nonstate service.

9 * * *

10 (c) Limitations on nonstate service.--Creditable nonstate
11 service credit shall be limited to:

12 (1) intervening military service;

13 (2) military service other than intervening military
14 service and military service purchasable under section
15 5302(d) (relating to credited State service) not exceeding
16 five years, provided that a member with multiple service may
17 not purchase more than a total of five years of military
18 service in both the system and the Public School Employees'

1 Retirement System;

2 (3) in the case of an academic administrator, teacher or
3 instructor employed in the Department of Education, the State
4 System of Higher Education, any State-owned educational
5 institution or The Pennsylvania State University, provided
6 that the total amount of service creditable under this
7 paragraph shall not exceed the lesser of ten years or the
8 number of years of active membership in the system as an
9 academic administrator, teacher or instructor in the
10 Department of Education, State System of Higher Education,
11 any State-owned educational institution or The Pennsylvania
12 State University:

13 (i) nonstudent service as an academic administrator,
14 teacher or instructor in any public school or public
15 educational institution in any state other than this
16 Commonwealth; or

17 (ii) nonstudent service as an academic
18 administrator, teacher or instructor in the field of
19 education for any agency or department of the Federal
20 Government, whether or not such area was under the
21 jurisdiction of the United States;

22 (4) previous service with a governmental agency other
23 than the Commonwealth which employment with said agency was
24 terminated because of the transfer by statute of the
25 administration of such service or of the entire agency to the
26 Commonwealth;

27 (5) service as a temporary Federal employee assigned to
28 an air quality control complement for the Pennsylvania
29 Department of Environmental Resources at any time during the
30 period of 1970 through 1975. This service time may be

1 purchased only if the member makes an election to purchase
2 within one year of the effective date of this paragraph, and
3 the member shall pay an amount which is equal to the full
4 actuarial cost of the increased benefit obtained by virtue of
5 the purchase as provided in section 5505(f);

6 (6) service in the Cadet Nurse Corps with respect to any
7 period of training as a student or graduate nurse under a
8 plan approved under section 2 of the act of June 15, 1943
9 (Public Law 78-73, 57 Stat. 153), if the total period of
10 training under such plan was at least two years, the credit
11 for such service not to exceed three years;

12 (7) service prior to July 1, 1971, at a community
13 college established under the act of August 24, 1963
14 (P.L.1132, No.484), known as the Community College Act of
15 1963; [or]

16 (8) service as a justice of the peace prior to January
17 1970[.]; or

18 (9) service as an employee or officer of any
19 municipality in this Commonwealth. For the purposes of this
20 paragraph, the term "municipality" shall mean a county, city,
21 borough, incorporated town, or township. The credit shall not
22 exceed five years or one-half of the employee's State service
23 at the time of application for this credit, whichever is
24 less. The employee must have been a member of the municipal
25 pension system or otherwise have been eligible to join as a
26 member of the municipal retirement system had the employee
27 been afforded an opportunity to join or participate. The
28 employee could not, upon leaving the municipal government,
29 have drawn any type of employer-vested benefit, including any
30 retirement benefit, excluding the contribution share and

1 interest of the employee. The election under this paragraph
2 shall be available from July 1, 2003, through June 30, 2005.

3 * * *

4 Section 2. Section 5505 of Title 71 is amended by adding a
5 subsection to read:

6 § 5505. Contributions for the purchase of credit for creditable
7 nonstate service.

8 * * *

9 (i) Municipal service.--Contributions on account of credit
10 for municipal service shall be determined in the same manner as
11 nonintervening military service, as provided for in subsection
12 (b).

13 Section 3. This act shall take effect in 30 days.