

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2427 Session of
2006

INTRODUCED BY NICKOL, BARRAR, BASTIAN, BELFANTI, BUXTON,
CALTAGIRONE, CAPPELLI, COHEN, CORNELL, CRAHALLA, CREIGHTON,
DALLY, DeLUCA, DENLINGER, DeWEESE, FABRIZIO, FLEAGLE, GEORGE,
GERGELY, GILLESPIE, GINGRICH, GOODMAN, GRUCELA, HANNA,
HARHAI, HARHART, HARRIS, HERSHEY, HESS, JAMES, KILLION,
KOTIK, LEACH, MACKERETH, MANN, MARKOSEK, McILHATTAN,
R. MILLER, MUNDY, MYERS, NAILOR, PETRARCA, PHILLIPS, PYLE,
RAPP, REICHLEY, SAYLOR, SIPTROTH, B. SMITH, SOLOBAY, SONNEY,
STABACK, R. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, TRUE,
WILT, WOJNAROSKI, YOUNGBLOOD, YUDICHAK AND ZUG,
FEBRUARY 2, 2006

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 2, 2006

AN ACT

1 Amending the act of February 1, 1966 (1965 P.L.1656, No.581),
2 entitled "An act concerning boroughs, and revising, amending
3 and consolidating the law relating to boroughs," providing
4 for retirement credit for military service for firefighters.

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

7 Section 1. The act of February 1, 1966 (1965 P.L.1656,
8 No.581), known as The Borough Code, is amended by adding a
9 section to read:

10 Section 1105.2. Retirement Credit for Military Service for
11 Firemen.--(a) Any fireman who has been a regularly appointed
12 employee of a borough in that position for a period of at least
13 six months and who thereafter shall enter into the military
14 service of the United States, shall have credited to his

employment record for pension or retirement benefits all of the time spent by him in such military service, if such person returns or has heretofore returned to his employment within six months after his separation from the service.

(b) The ordinance or resolution establishing the pension fund for firemen may provide full service credit for each year of military service or fraction thereof, not to exceed five years, to any fireman who was not employed by the borough prior to such military service. The amount due for the purchase of credit for military service other than intervening military service shall be computed by applying the average normal cost rate for the pension fund for firemen as certified by the Public Employee Retirement Commission, but not to exceed ten percent, to the member's average annual rate of compensation over the first three years of borough service and multiplying the result by the number of years and fractional part of a year of creditable nonintervening military service being purchased together with interest at the rate of four and three-quarters percent compounded annually from the date of initial entry into borough service to the date of payment.

(c) Any fireman shall be eligible to receive service credit for intervening or nonintervening military service as provided in subsections (a) and (b) provided that he is not entitled to receive, eligible to receive now or in the future or is receiving retirement benefits for such service under a retirement system administered and wholly or partially paid for by any other governmental agency with the exception of a member eligible to receive or receiving military retirement pay earned by a combination of active duty and nonactive duty with a reserve or national guard component of the armed forces which

1 retirement pay is payable only upon the attainment of a
2 specified age and period of service under 10 U.S.C. Ch. 67
3 (relating to retired pay for non-regular service).

4 Section 2. This act shall take effect in 60 days.