

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 729 Session of
2005

INTRODUCED BY PICCOLA, WONDERLING, CORMAN, ORIE, COSTA, LOGAN,
ERICKSON, M. WHITE, D. WHITE, PILEGGI, RAFFERTY, O'PAKE,
ROBBINS, WOZNIAK, BOSCOLA AND STACK, JUNE 9, 2005

REFERRED TO FINANCE, JUNE 9, 2005

AN ACT

1 Amending Title 24 (Education) of the Pennsylvania Consolidated
2 Statutes, defining "nonpublic school"; and further providing
3 for creditable nonschool service and for creditable work
4 experience.

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

7 Section 1. Section 8102 of Title 24 of the Pennsylvania
8 Consolidated Statutes is amended by adding a definition to read:
9 § 8102. Definitions.

10 The following words and phrases when used in this part shall
11 have, unless the context clearly indicates otherwise, the
12 meanings given to them in this section:

13 * * *

14 "Nonpublic school." Any nonprofit school, other than a
15 public school within this Commonwealth, wherein a resident of
16 this Commonwealth may legally fulfill the compulsory school
17 attendance requirements and which meets the requirements of
18 Title VI of the Civil Rights Act of 1964 (Public Law 88-532, 78

1 Stat. 241).

2 * * *

3 Section 2. Section 8304(b) of Title 24 is amended by adding
4 paragraphs to read:

5 § 8304. Creditable nonschool service.

6 * * *

7 (b) Limitations on nonschool service.--Creditable nonschool
8 service credit shall be limited to:

9 * * *

10 (9) Previous service as a school employee, teacher or
11 instructor in a nonpublic school, if the member was entitled
12 to a provisional or professional certificate to teach in the
13 public schools of this Commonwealth at the time this service
14 was rendered. For every one year in previous work experience,
15 an individual can buy one year of creditable service, not to
16 exceed a total of five years. The purchase of this service
17 shall begin within three years of the employee's eligibility
18 to purchase this creditable service. The Department of
19 Education may charge an applicant a fee necessary to cover
20 administrative costs incurred in verifying the applicant's
21 eligibility for certification.

22 (10) Previous service as a school teacher or instructor
23 of special education classes in a nonpublic school, if the
24 member was entitled to a provisional or professional
25 certificate to teach in the public schools of this
26 Commonwealth at the time this service was rendered. For every
27 one year in previous work experience, an individual may buy
28 one year of creditable service, not to exceed a total of five
29 years. The purchase of this service shall begin within three
30 years of the employee's eligibility to purchase this

1 creditable service. The Department of Education may charge an
2 applicant a fee necessary to cover administrative costs
3 incurred in verifying the applicant's eligibility for
4 certification.

5 * * *

6 Section 3. Section 8324(e) of Title 24 is amended to read:
7 § 8324. Contributions for purchase of credit for creditable
8 nonschool service.

9 * * *

10 (e) Creditable work experience.--

11 (1) Contributions on account of T-C credit for
12 creditable work experience pursuant to section 8304(b)(6)
13 shall be the present value of the full actuarial cost of the
14 increase in the projected superannuation annuity caused by
15 the additional service credited on account of the purchase of
16 creditable work experience. [The amount paid for the purchase
17 of credit for creditable work experience shall not be payable
18 as a lump sum under section 8345(a)(4)(iii) (relating to
19 member's options).] Any individual eligible to receive an
20 annuity, excluding an annuity received under the Federal
21 Social Security Act (42 U.S.C. § 301 et seq.), in another
22 pension system, other than a military pension system, shall
23 not be eligible to purchase this service.

24 (2) Contributions on account of T-C credit for
25 creditable work experience pursuant to section 8304(b)(9)
26 shall be the present value of the full actuarial cost of the
27 increase in the projected superannuation annuity caused by
28 the additional service credited on account of the purchase of
29 creditable work experience. The full actuarial cost shall be
30 determined by utilizing the actuarial methodology and

1 assumptions utilized by the consulting actuary of the system
2 in preparing the most recent annual actuarial valuation of
3 the system. The purchase payment shall be made in lump sum by
4 the member within 30 days of certification by the board of
5 the required purchase amount. Any individual eligible to
6 receive an annuity, excluding an annuity received under the
7 Social Security Act, in another pension system, other than a
8 military pension system, shall not be eligible to purchase
9 this service.

10 (3) Contributions on account of T-C credit for
11 creditable work experience pursuant to section 8304(b)(10)
12 shall be the present value of the full actuarial cost of the
13 increase in the projected superannuation annuity caused by
14 the additional service credited on account of the purchase of
15 creditable work experience. The full actuarial cost shall be
16 determined by utilizing the actuarial methodology and
17 assumptions utilized by the consulting actuary of the system
18 in preparing the most recent annual actuarial valuation of
19 the system. The purchase payment shall be made in lump sum by
20 the member within 30 days of certification by the board of
21 the required purchase amount. Any individual eligible to
22 receive an annuity, excluding an annuity received under the
23 Social Security Act, in another pension system, other than a
24 military pension system, shall not be eligible to purchase
25 this service.

26 (4) The amount paid for the purchase of service under
27 paragraphs (1) and (2) shall not be payable as a lump sum
28 under section 8345(a)(4)(iii) (relating to member's options).

29 * * *

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