
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 729 Session of
2005

INTRODUCED BY PICCOLA, C. WILLIAMS, 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

1 Title VI of the Civil Rights Act of 1964 (Public Law 88-532, 78
2 Stat. 241).

3 * * *

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

6 § 8304. Creditable nonschool service.

7 * * *

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

10 * * *

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

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

years of the employee's eligibility to purchase this
creditable service. The Department of Education may charge an
applicant a fee necessary to cover administrative costs
incurred in verifying the applicant's eligibility for
certification.

* * *

Section 3. Section 8324(e) of Title 24 is amended to read:

§ 8324. Contributions for purchase of credit for creditable
nonschool service.

* * *

(e) Creditable work experience.--

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

(2) Contributions on account of T-C credit for
creditable work experience pursuant to section 8304(b)(9)
shall be the present value of the full actuarial cost of the
increase in the projected superannuation annuity caused by
the additional service credited on account of the purchase of
creditable work experience. The full actuarial cost shall be

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

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

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

30 * * *

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