

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 205 Session of  
2007

INTRODUCED BY MELLOW, FONTANA, LAVALLE, BOSCOLA, ROBBINS, MUSTO,  
KITCHEN, WASHINGTON, RAFFERTY, COSTA, ORIE, LOGAN AND FERLO,  
MARCH 7, 2007

REFERRED TO FINANCE, MARCH 7, 2007

AN ACT

1 Amending the act of September 23, 1959 (P.L.970, No.400),  
2 entitled "An act providing for the creation, maintenance and  
3 operation of an employees' retirement system in cities of the  
4 second class A, and imposing certain charges on cities of the  
5 second class A and school districts in cities of the second  
6 class A," further providing for credit for military service.

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

9 Section 1. Section 12 of the act of September 23, 1959  
10 (P.L.970, No.400), referred to as the Second Class A City  
11 Employe Pension Law, amended July 15, 1968 (P.L.342, No.167), is  
12 amended to read:

13 Section 12. Credit for Military Service; Payment into Fund;  
14 Reimbursement.--Any city employe who, on or after September 16,  
15 1940, has been employed by the city for a period of six months  
16 and who, on or subsequent to such date, shall have enlisted or  
17 been inducted into the military service of the United States in  
18 time of war, armed conflict or national emergency so proclaimed  
19 by the President or the Congress of the United States, shall

1 have credited to his employment record, for retirement benefits,  
2 all of the time spent by him in such military service during the  
3 continuance of such war, armed conflict, or national emergency,  
4 and such payments as were heretofore or shall hereafter be  
5 required to be made during such period by such city employe into  
6 the city employes' retirement fund shall be paid into such fund  
7 by the city. Any employes who have made payments into the city  
8 employes' retirement fund, for which payments the city is liable  
9 under the provisions of this act, shall be reimbursed by the  
10 city to the full extent of such payments or be given credit  
11 towards future payments under this act.

12 Any member of the pension fund who is a contributor and who  
13 served in the armed forces of the United States subsequent to  
14 September 1, 1940, and who was not a member of the pension fund  
15 prior to such military service, and who commenced employment in  
16 city service [within three years from] after the date of release  
17 from active duty, [may, as the city or school district shall  
18 determine,] shall be entitled to have full credit for each year  
19 or fraction thereof, not to exceed five years of such service  
20 upon his payment to the pension fund an amount equal to that  
21 which he would have paid had he been a member during the period  
22 for which he desires credit, computed with reference to the  
23 compensation he received upon entry into city service and his  
24 current percentage of salary deductions, and an additional  
25 amount as the equivalent of the contributions of the city and  
26 school district on account of such military service, which  
27 amount may be paid in a lump sum or by installments as may be  
28 approved by the board.

29 Section 2. This act shall take effect immediately.