

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, providing for defined contribution plans for
3 certain public employees.

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

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That Article III be amended by adding a section to read:

9 § 27.1. Defined contribution plans for public employees.

10 (a) The General Assembly shall maintain by law a retirement
11 system for officers and employees of the government of this
12 Commonwealth and a retirement system for school employees of
13 public education in this Commonwealth that provide defined
14 contribution plans. Except as otherwise provided in subsection
15 (b), all such officers, employees and school employees who are
16 members of the systems shall be required by law to participate
17 in the defined contribution plans.

1 (b) Officers and employees of this Commonwealth and school
2 employees of public education in this Commonwealth may not be
3 required by law to participate in the defined contribution plans
4 under subsection (a) if such officers and employees:

5 (1) commence such office or employment prior to adoption of
6 this section;

7 (2) commence such office or employment after adoption of
8 this section, but are ineligible for Social Security benefits
9 under Federal law as a result of such office or employment;

10 (3) resign or take an approved leave of absence from such
11 office or employment prior to the effective date of this section
12 and return to such office or employment after adoption of this
13 section where such resignation or absence is caused by their
14 birth or adoption of a child, disability, accident or personal
15 injury; or

16 (4) resign or terminate, or are removed or terminated from,
17 such office or employment prior to adoption of this section and
18 return to such office or employment by a court of law after
19 adoption of this section.

20 Section 2. (a) Upon the first passage by the General
21 Assembly of this proposed constitutional amendment, the
22 Secretary of the Commonwealth shall proceed immediately to
23 comply with the advertising requirements of section 1 of Article
24 XI of the Constitution of Pennsylvania and shall transmit the
25 required advertisements to two newspapers in every county in
26 which such newspapers are published in sufficient time after
27 passage of this proposed constitutional amendment.

28 (b) Upon the second passage by the General Assembly of this
29 proposed constitutional amendment, the Secretary of the
30 Commonwealth shall proceed immediately to comply with the

1 advertising requirements of section 1 of Article XI of the
2 Constitution of Pennsylvania and shall transmit the required
3 advertisements to two newspapers in every county in which such
4 newspapers are published in sufficient time after passage of
5 this proposed constitutional amendment. The Secretary of the
6 Commonwealth shall submit this proposed constitutional amendment
7 to the qualified electors of this Commonwealth at the first
8 primary, general or municipal election which meets the
9 requirements of and is in conformance with section 1 of Article
10 XI of the Constitution of Pennsylvania and which occurs at least
11 three months after the proposed constitutional amendment is
12 passed by the General Assembly.