

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 793

Session of
1981

INTRODUCED BY RYAN, CESSAR, HAYES, SIRIANNI, IRVIS AND SPENCER,
MARCH 10, 1981

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 12, 1981

AN ACT

1 Amending Titles 24 (Education) and 71 (State Government) of the
2 Pennsylvania Consolidated Statutes, revising provisions
3 relating to retirement for public school employees and State
4 employees.

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

7 Section 1. Subsection (a) of section 8346 of Title 24, act
8 of November 25, 1970 (P.L.707, No.230), known as the
9 Pennsylvania Consolidated Statutes, is amended to read:

10 § 8346. Termination of annuities.

11 (a) General rule.--If an annuitant returns to school service
12 or enters State service and elects multiple service membership,
13 any annuity payable to him under this part shall cease and in
14 the case of an annuity other than a disability annuity the
15 present value of such annuity, adjusted for full coverage in the
16 case of a joint coverage member who makes the appropriate back
17 contributions for full coverage, shall be frozen as of the date
18 such annuity ceases. In the event that the cost-of-living

1 increase enacted December 18, 1979 occurred during the period of
2 such State or school employment, the frozen present value shall
3 be increased, on or after the member attains superannuation age,
4 by the percent applicable had he not returned to service.

5 * * *

6 Section 2. Subsection (a) of section 5706 of Title 71 is
7 amended to read:

8 § 5706. Termination of annuities.

9 (a) General rule.--If the annuitant returns to State service
10 or enters school service and elects multiple service membership,
11 any annuity payable to him under this part shall cease and in
12 the case of an annuity other than a disability annuity the
13 present value of such annuity, adjusted for full coverage in the
14 case of a joint coverage member who makes the appropriate back
15 contributions for full coverage, shall be frozen as of the date
16 such annuity ceases. ~~in~~ IN the event that the cost-of-living <—
17 increase enacted December 18, 1979 occurred during the period of
18 such State or school employment, the frozen present value shall
19 be increased, on or after the member attains superannuation age,
20 by the percent applicable had he not returned to service[: <—

21 Provided, however, That this provision]. THIS SUBSECTION shall <—
22 not apply in the case of any annuitant who may render services
23 to the Commonwealth in the capacity of an independent
24 contractor.

25 * * *

26 Section 3. This act shall take effect immediately and the
27 provision of section 1 shall apply to all annuitants who
28 returned to service after October 2, 1975, and section 2 shall
29 apply to all annuitants who returned to service after March 1,
30 1974.