

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL****No. 1408** Session of  
1989

INTRODUCED BY VEON, MAY 22, 1989

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MAY 22, 1989

## AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled  
2 "An act relating to cities of the third class; and amending,  
3 revising, and consolidating the law relating thereto,"  
4 deleting a provision relating to the purchase of military  
5 service time by police officers and firefighters for  
6 retirement purposes.

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

9 Section 1. Section 4302 of the act of June 23, 1931 (P.L.932,  
10 No.317), known as The Third Class City Code, reenacted and  
11 amended June 28, 1951 (P.L.662, No.164) and amended November 25,  
12 1970 (P.L.754, No.246), is amended to read:

13 Section 4302. Retirement; Final Discharge.--Such ordinance  
14 shall prescribe a minimum period of continuous service, not less  
15 than twenty years, and, when any minimum age is prescribed, a  
16 minimum age of fifty years, after which members of the force may  
17 retire from active duty, and such members as are retired shall  
18 be subject to service, from time to time, as a police reserve  
19 until unfitted for such service, when they may be finally

1 retired by reason of age or disability.

2 [With the approval of council, any] Any member of the police  
3 pension fund who is a contributor and who served in the armed  
4 forces of the United States subsequent to September 1, 1940, and  
5 who was not a member of the police pension fund prior to such  
6 military service, shall be entitled to have full credit for each  
7 year or fraction thereof, not to exceed five years of such  
8 service upon his payment to the police pension fund of an amount  
9 equal to that which he would have paid had he been a member  
10 during the period for which he desires credit, and his payment  
11 to such fund of an additional amount as the equivalent of the  
12 contributions of the city on account of such military service.

13 Section 2. Section 4321 of the act, amended October 4, 1978  
14 (P.L.950, No.188), is amended to read:

15 Section 4321. Retirement; Final Discharge.--Such regulations  
16 shall prescribe a minimum period of continuous service, not less  
17 than twenty years and, when any minimum age is prescribed, a  
18 minimum age of fifty years, after which members of the  
19 department may retire on pension from active duty, and such  
20 members as are retired shall be subject to service, from time to  
21 time, as a firemen's reserve in cases of emergency until  
22 unfitted for such service, when they may be finally discharged  
23 by reason of age or disability. [With the approval of council,  
24 all] All members of the firemen's pension fund who are  
25 contributors and who served in the armed forces of the United  
26 States subsequent to September 1, 1940, and who were not members  
27 of the firemen's pension fund prior to such military service,  
28 shall be entitled to have full credit for each year or fraction  
29 thereof, not to exceed five years of such service upon their  
30 payment to the firemen's pension fund of an amount equal to that

1 which they would have paid had they been members during the  
2 period for which they desire credit, and their payment to such  
3 fund of an additional amount as the equivalent of the  
4 contributions of the city plus any interest the city would have  
5 been required to pay on the contributions on account of such  
6 military service. Upon the death of a member who retires on  
7 pension or is killed in the service on or after January 1, 1960,  
8 or who dies in the service on or after January 1, 1968, payments  
9 as hereinafter provided shall be made to his surviving spouse  
10 during his life so long as he does not remarry.

11 Section 3. This act shall take effect immediately.