

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 358 Session of
1993

INTRODUCED BY TANGRETTI, PESCI, LAUGHLIN, MIHALICH, BELFANTI,
VAN HORNE, TRELLO, HALUSKA, KASUNIC, KIRKLAND, M. COHEN,
PISTELLA, BARLEY, DALEY AND TRICH, FEBRUARY 10, 1993

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, DECEMBER 6, 1993

AN ACT

1 Amending the act of August 31, 1971 (P.L.398, No.96), entitled
2 "An act providing for the creation, maintenance and operation
3 of a county employees' retirement system, and imposing certain
4 charges on counties and providing penalties," providing for
5 special early retirement incentives for county employees.

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

8 Section 1. The act of August 31, 1971 (P.L.398, No.96),
9 known as the County Pension Law, is amended by adding a section
10 to read:

11 ~~Section 14.1. Special Early Retirement. (a)~~ <—
12 ~~Notwithstanding any provisions of this act to the contrary, for~~
13 ~~the period January 1, 1994, through January 1, 1995, a member~~
14 ~~who was not a retiree on January 1, 1994, who terminates county~~
15 ~~service between January 1, 1994, and January 1, 1995, inclusive,~~
16 ~~who is during such period fifty five years of age or older or~~
17 ~~will attain fifty five years of age between January 1, 1994, and~~
18 ~~January 1, 1995, inclusive, with ten or more years of service,~~

~~and who files an application for retirement prior to January 1, 1994, shall be credited with an additional ten per cent of his service.~~

~~(b) During the period of January 1, 1994 to January 1, 1995, a member who has credit for at least thirty years of service credited to his employment record shall be entitled, upon termination of service and filing of a proper application, to receive a maximum single life annuity calculated pursuant to section 14 without any reduction by virtue of an effective date of retirement which is under the superannuation age.~~

~~Section 2. This act shall take effect in 60 days.~~

~~SECTION 14.1. SPECIAL EARLY RETIREMENT.--(A) IF AUTHORIZED BY RESOLUTION OF THE COMMISSIONERS OR BY COUNCIL IN COUNTIES HAVING AN OPTIONAL FORM OF GOVERNMENT AND APPROVED BY THE RETIREMENT BOARD, A SPECIAL EARLY RETIREMENT PROVISION MAY BE ADOPTED FOR ACTIVE MEMBERS OF THE COUNTY EMPLOYEES' RETIREMENT SYSTEM. THE RESOLUTION SHALL STATE THE TERMS AND CONDITIONS OF THE EARLY RETIREMENT AND SHALL PROVIDE AN ELECTION PERIOD WHICH EXPLICITLY STATES THE EFFECTIVE BEGINNING AND ENDING DATES NOT BE LESS THAN SIXTY DAYS NOR MORE THAN ONE HUNDRED TWENTY DAYS, WITH A SEVEN-DAY REVOCATION PERIOD AFTER THE ACTIVE MEMBER'S INITIAL ELECTION. THE ELECTION PERIOD MUST BE FOLLOWED IMMEDIATELY BY THE SPECIAL EARLY RETIREMENT PERIOD WHICH IS NOT TO EXCEED TWELVE MONTHS.~~

~~(B) TO BE ELIGIBLE FOR SPECIAL EARLY RETIREMENT, A MEMBER MUST MEET THE SPECIFIED REQUIREMENTS ESTABLISHED IN THE PROVISION AT THE TIME OF RETIREMENT DURING THE SPECIAL EARLY RETIREMENT PERIOD. MINIMUM ELIGIBILITY FOR SPECIAL EARLY RETIREMENT CANNOT BE LESS THAN ATTAINMENT OF FIFTY-FIVE YEARS OF AGE AND TEN YEARS OF CREDITED SERVICE OR THIRTY YEARS OF~~

1 CREDITED SERVICE WITH NO AGE REQUIREMENT. A MEMBER WHO IS
2 ELIGIBLE FOR THE SPECIAL EARLY RETIREMENT SHALL BE CREDITED WITH
3 ADDITIONAL FULL YEARS OF SERVICE AS STATED IN THE RESOLUTION
4 EQUAL TO NO LESS THAN TEN PER CENT NOR MORE THAN THIRTY PER CENT
5 OF CREDITED SERVICE, THE RESULT THEN ROUNDED TO THE NEXT FULL
6 YEAR, AT THE CURRENT DESIGNATED COUNTY CLASS BASE.

7 (C) THE INCREASE IN ACTUARIAL COST ATTRIBUTABLE TO THE
8 SPECIAL EARLY RETIREMENT PROVISION MUST BE DETERMINED AND MUST
9 BE AMORTIZED OVER A PERIOD NOT TO EXCEED FIVE YEARS.

10 (D) NO MORE THAN TWO SPECIAL EARLY RETIREMENT PROVISIONS CAN
11 BE AUTHORIZED WITHIN A FIVE-YEAR PERIOD.

12 SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.