

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1639 Session of
1999

INTRODUCED BY KAISER, SOLOBAY, MAYERNIK, MARKOSEK, CASORIO,
WOJNAROSKI, READSHAW, WALKO, DERMODY, YOUNGBLOOD, SAINATO,
SERAFINI, COLAFELLA, HARHAI AND THOMAS, JUNE 14, 1999

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, DECEMBER 7, 1999

AN ACT

1 Amending the act of May 29, 1956 (1955 P.L.1804, No.600),
2 entitled, as amended, "An act providing for the establishment
3 of police pension funds or pension annuities in certain
4 boroughs, towns and townships; authorizing the establishment
5 of police pension funds or pension annuities by regional
6 police departments; providing for the regulation and
7 maintenance of police pension funds or pension annuities;
8 providing for an actuary; continuance of existing funds or
9 transfer thereof to funds herein established; prescribing
10 rights of beneficiaries; contributions by members; providing
11 for expenses of administration; continuation of existing
12 authority to provide annuity contracts; credit for military
13 service; refunds; exempting allowances from judicial process;
14 and repealing certain acts," further providing for payments
15 to spouses; AND MAKING AN EDITORIAL CHANGE. <—

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 1 of the act of May 29, 1956 (1955
19 P.L.1804, No.600), referred to as the Municipal Police Pension
20 Law, amended May 10, 1996 (P.L.102, No.33), is amended to read:

21 Section 1. (a) Each borough, town and township of this
22 Commonwealth maintaining a police force of three or more full-
23 time members and each regional police department shall, and all

1 other boroughs, towns or townships may, establish, by ordinance
2 or resolution, a police pension fund or pension annuity to be
3 maintained by a charge against each member of the police force,
4 by annual appropriations made by the borough, town, township or
5 regional police department, by payments made by the State
6 Treasurer to the municipal treasurer from the moneys received
7 from taxes paid upon premiums by foreign casualty insurance
8 companies for purposes of pension retirement for policemen, and
9 by gifts, grants, devises or bequests granted to the pension
10 fund pursuant to section two of this act. Such fund shall be
11 under the direction of the governing body of the borough, town,
12 township or regional police department, and applied under such
13 regulations as such governing body, by ordinance or resolution,
14 may prescribe for the benefit of such members of the police
15 force as shall receive honorable discharge therefrom by reason
16 of age and service, or disability, and may prescribe for the
17 benefit (i) of widows, even if they remarry, and if no widow
18 survives or if she survives and subsequently dies [or
19 remarries], then (ii) of child or children under the age of
20 eighteen years, of members of the police force or of members
21 retired on pension. All such pensions as shall be allowed to
22 those who are retired by reason of disabilities shall be in
23 conformity with a uniform scale. The widow of a member of the
24 police force or a member who retires on pension who dies or if
25 no widow survives or if she survives and subsequently {dies [or <—
26 remarries], then the child or children under the age of eighteen
27 years of a member of the police force or a member who retires on
28 pension who dies on or after the effective date of this
29 amendment, may, during her lifetime [or so long as she does not
30 remarry in the case of a widow] or until reaching the age of

1 eighteen years in the case of a child or children, be entitled
2 to receive a pension calculated at the rate of fifty per centum
3 of the pension the member was receiving or would have been
4 receiving had he been retired at the time of his death.

5 (b) For purposes of this act, the term "regional police
6 department" shall mean a municipal police force organized and
7 operated in combination by two or more municipalities through an
8 intermunicipal agreement under [the act of July 12, 1972 <—
9 (P.L.762, No.180), referred to as the Intergovernmental
10 Cooperation Law] 53 PA.C.S. PT. III, SUBPT. D (RELATING TO AREA <—
11 GOVERNMENT AND INTERGOVERNMENTAL COOPERATION).

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