

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1922 Session of
2003

INTRODUCED BY HUTCHINSON, BASTIAN, COLEMAN, FABRIZIO, HARPER,
HESS, LAUGHLIN, MARKOSEK, McILHATTAN, R. STEVENSON,
E. Z. TAYLOR, WASHINGTON, WILT, YOUNGBLOOD, MELIO, THOMAS,
LEWIS, HORSEY, GOODMAN AND DENLINGER, AUGUST 15, 2003

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 30, 2004

AN ACT

1 Amending Title 24 (Education) of the Pennsylvania Consolidated
2 Statutes, FURTHER providing for ~~additional~~ creditable <—
3 nonschool service ~~as a county employee~~. AND FOR CONTRIBUTIONS <—
4 FOR PURCHASE OF CREDIT FOR CREDITABLE NONSCHOOL SERVICE.

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

7 Section 1. Section 8304(b) of Title 24 of the Pennsylvania
8 Consolidated Statutes is amended by adding a paragraph to read:
9 § 8304. Creditable nonschool service.

10 * * *

11 (b) Limitations on nonschool service.--Creditable nonschool
12 service credit shall be limited to:

13 * * *

14 ~~(9) Previous service as a county employee, the total of~~ <—
15 ~~such service limited to five years, subject to the following~~
16 ~~limitations:~~

17 ~~(i) That during such service the person was a full~~

~~time employee not employed as an independent contractor
or compensated on a fee basis.~~

~~(ii) That during such service the employee was an
active member of the county retirement system or, in the
event that no county retirement system existed during the
person's period of employment, the person would be
eligible to be an active member in the present local
retirement system.~~

~~(iii) That the period of such service used for this
paragraph shall not be included in or computed as part of
the total service with a county.~~

~~(iv) That the member makes contributions for this
service in accordance with section 8324(d) (relating to
contributions for purchase of credit for creditable
nonschool service).~~

(9) (I) PREVIOUS SERVICE AS A COUNTY EMPLOYEE OF THE
COMMONWEALTH OTHER THAN SERVICE AS A COUNTY NURSE. FOR EVERY
THREE YEARS OF PREVIOUS SERVICE AS A COUNTY EMPLOYEE, AN
INDIVIDUAL MAY BUY ONE YEAR OF CREDITABLE SERVICE, NOT TO
EXCEED A TOTAL OF FIVE YEARS. A FRACTION OF A YEAR OF THE
PREVIOUS SERVICE THAT IS EQUAL TO OR GREATER THAN ONE-HALF
SHALL BE CONSIDERED ONE YEAR FOR PURPOSES OF THIS PARAGRAPH.

(II) PREVIOUS SERVICE AS A COUNTY EMPLOYEE OF THE
COMMONWEALTH OTHER THAN SERVICE AS A COUNTY NURSE SHALL
BE SUBJECT TO THE FOLLOWING LIMITATIONS:

(A) DURING SUCH SERVICE THE PERSON WAS A FULL-
TIME EMPLOYEE NOT EMPLOYED AS AN INDEPENDENT
CONTRACTOR OR COMPENSATED ON A FEE BASIS.

(B) DURING SUCH SERVICE THE EMPLOYEE WAS AN
ACTIVE MEMBER OF THE COUNTY RETIREMENT SYSTEM OR, IN

1 THE EVENT THAT NO COUNTY RETIREMENT SYSTEM EXISTED
2 DURING THE PERSON'S PERIOD OF EMPLOYMENT, THE PERSON
3 WOULD BE ELIGIBLE TO BE AN ACTIVE MEMBER IN THE
4 PRESENT LOCAL RETIREMENT SYSTEM.

5 (C) THE MEMBER MAKES CONTRIBUTIONS FOR THIS
6 SERVICE IN ACCORDANCE WITH SECTION 8324(E) (RELATING
7 TO CONTRIBUTIONS FOR PURCHASE OF CREDIT FOR
8 CREDITABLE NONSCHOOL SERVICE).

9 * * *

10 SECTION 2. SECTION 8324(E) OF TITLE 24 IS AMENDED TO READ: <—

11 § 8324. CONTRIBUTIONS FOR PURCHASE OF CREDIT FOR CREDITABLE
12 NONSCHOOL SERVICE.

13 * * *

14 (E) CREDITABLE WORK EXPERIENCE.--CONTRIBUTIONS ON ACCOUNT OF
15 T-C CREDIT FOR CREDITABLE WORK EXPERIENCE PURSUANT TO SECTION
16 8304(B)(6) AND (9) SHALL BE THE PRESENT VALUE OF THE FULL
17 ACTUARIAL COST OF THE INCREASE IN THE PROJECTED SUPERANNUATION
18 ANNUITY CAUSED BY THE ADDITIONAL SERVICE CREDITED ON ACCOUNT OF
19 THE PURCHASE OF CREDITABLE WORK EXPERIENCE. THE AMOUNT PAID FOR
20 THE PURCHASE OF CREDIT FOR CREDITABLE WORK EXPERIENCE SHALL NOT
21 BE PAYABLE AS A LUMP SUM UNDER SECTION 8345(A)(4)(III) (RELATING
22 TO MEMBER'S OPTIONS). [ANY INDIVIDUAL ELIGIBLE TO RECEIVE AN
23 ANNUITY, EXCLUDING AN ANNUITY RECEIVED UNDER THE FEDERAL SOCIAL
24 SECURITY ACT (42 U.S.C. § 301 ET SEQ.), IN ANOTHER PENSION
25 SYSTEM, OTHER THAN A MILITARY PENSION SYSTEM, SHALL NOT BE
26 ELIGIBLE TO PURCHASE THIS SERVICE.]

27 * * *

28 Section ~~2~~ 3. This act shall take effect in 60 days. <—