
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2052 Session of
2003

INTRODUCED BY FLICK, HUTCHINSON, CRUZ, FABRIZIO, BASTIAN,
BELARDI, CAPPELLI, COY, DeWEESE, FRANKEL, GEIST, GERGELY,
GODSHALL, GOODMAN, HESS, HORSEY, JAMES, KILLION, KOTIK,
LEWIS, McILHATTAN, PHILLIPS, PISTELLA, REICHLEY, ROBERTS,
SANTONI, SCAVELLO, SURRA, TANGRETTI, E. Z. TAYLOR, THOMAS,
TRAVAGLIO AND WASHINGTON, SEPTEMBER 30, 2003

REFERRED TO COMMITTEE ON FINANCE, SEPTEMBER 30, 2003

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania
2 Consolidated Statutes, providing for additional creditable
3 nonstate service as a municipal employee.

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

6 Section 1. Section 5304(c) of Title 71 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5304. Creditable nonstate service.

9 * * *

10 (c) Limitations on nonstate service.--Creditable nonstate
11 service credit shall be limited to:

12 (1) intervening military service;

13 (2) military service other than intervening military
14 service and military service purchasable under section

15 5302(d) (relating to credited State service) not exceeding

16 five years, provided that a member with multiple service may

1 not purchase more than a total of five years of military
2 service in both the system and the Public School Employees'
3 Retirement System;

4 (3) in the case of an academic administrator, teacher or
5 instructor employed in the Department of Education, the State
6 System of Higher Education, any State-owned educational
7 institution or The Pennsylvania State University, provided
8 that the total amount of service creditable under this
9 paragraph shall not exceed the lesser of ten years or the
10 number of years of active membership in the system as an
11 academic administrator, teacher or instructor in the
12 Department of Education, State System of Higher Education,
13 any State-owned educational institution or The Pennsylvania
14 State University:

15 (i) nonstudent service as an academic administrator,
16 teacher or instructor in any public school or public
17 educational institution in any state other than this
18 Commonwealth; or

19 (ii) nonstudent service as an academic
20 administrator, teacher or instructor in the field of
21 education for any agency or department of the Federal
22 Government, whether or not such area was under the
23 jurisdiction of the United States;

24 (4) previous service with a governmental agency other
25 than the Commonwealth which employment with said agency was
26 terminated because of the transfer by statute of the
27 administration of such service or of the entire agency to the
28 Commonwealth;

29 (5) service as a temporary Federal employee assigned to
30 an air quality control complement for the Pennsylvania

1 Department of Environmental Resources at any time during the
2 period of 1970 through 1975. This service time may be
3 purchased only if the member makes an election to purchase
4 within one year of the effective date of this paragraph, and
5 the member shall pay an amount which is equal to the full
6 actuarial cost of the increased benefit obtained by virtue of
7 the purchase as provided in section 5505(f);

8 (6) service in the Cadet Nurse Corps with respect to any
9 period of training as a student or graduate nurse under a
10 plan approved under section 2 of the act of June 15, 1943
11 (Public Law 78-73, 57 Stat. 153), if the total period of
12 training under such plan was at least two years, the credit
13 for such service not to exceed three years;

14 (7) service prior to July 1, 1971, at a community
15 college established under the act of August 24, 1963
16 (P.L.1132, No.484), known as the Community College Act of
17 1963; [or]

18 (8) service as a justice of the peace prior to January
19 1970[.]; or

20 (9) previous service with a county, city, borough,
21 incorporated town or township, the total of such service not
22 to exceed five years, subject to the following limitations:

23 (i) That during such service the person was a full-
24 time employee.

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

1 (iii) That the period of such service used for this
2 paragraph shall not be included in or computed as part of
3 the total service time with a county, city, borough,
4 incorporated town or township.

5 * * *

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