

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 811 Session of
2005INTRODUCED BY THOMPSON, ROBBINS, STOUT AND WOZNIAK,
JUNE 28, 2005

SENATOR EARLL, FINANCE, AS AMENDED, OCTOBER 18, 2005

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," further
5 providing for TRANSFERS BETWEEN CERTAIN CLASSES AND FOR
6 additional class options. <—

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

9 ~~Section 1. Section 7.1 of the act of August 31, 1971~~ <—
10 ~~(P.L.398, No.96), known as the County Pension Law, added~~
11 ~~December 16, 2003 (P.L.236, No.43), is amended to read:~~

12 SECTION 1. SECTION 7 OF THE ACT OF AUGUST 31, 1971 (P.L.398, <—
13 NO.96), KNOWN AS THE COUNTY PENSION LAW, IS AMENDED BY ADDING A
14 SUBSECTION TO READ:

15 SECTION 7. COUNTY EMPLOYEES' RETIREMENT FUND; TRANSFERS
16 BETWEEN CLASSES.--* * *

17 (H) (1) THIS SUBSECTION APPLIES TO MEMBERS OF THE
18 RETIREMENT SYSTEM WHO WERE EMPLOYED BY THE COUNTY FOR ANY TIME
19 PERIOD AFTER DECEMBER 31, 1971, AND BEFORE JANUARY 1, 1997, AND

1 WHO TRANSFERRED FROM A ONE-EIGHTIETH CLASS TO A ONE-SIXTIETH
2 CLASS ON JANUARY 1, 1997.

3 (2) THE BOARD MAY, BY RULE, AUTHORIZE THE ONE-SIXTIETH CLASS
4 TO BE APPLIED RETROACTIVELY TO THE EMPLOYE'S CREDIT SERVICE OR
5 ANY PORTION THEREOF.

6 (3) WHENEVER THE BOARD HAS, BY RULE, AUTHORIZED THE MEMBERS
7 OF THE RETIREMENT SYSTEM TO MAKE A TRANSFER DESCRIBED IN THIS
8 SUBSECTION, THE COUNTY ANNUITY SHALL BE CALCULATED IN ACCORDANCE
9 WITH SECTION 14(C) WITH THE ONE-SIXTIETH CLASS. NOTWITHSTANDING
10 THE PROVISIONS OF SECTION 14(C), IF THE BOARD ADOPTS THE
11 RETROACTIVITY PROVISION IN PARAGRAPH (2), THE COUNTY ANNUITY FOR
12 ALL PERIODS OF SERVICE SHALL BE CALCULATED AT THE ONE-SIXTIETH
13 CLASS RATE.

14 (4) THE BOARD MAY ADOPT RULES PURSUANT TO THIS SUBSECTION
15 UNTIL DECEMBER 31, 2006.

16 SECTION 2. SECTION 7.1 OF THE ACT, ADDED DECEMBER 16, 2003
17 (P.L.236, NO.43), IS AMENDED TO READ:

18 Section 7.1. Additional Class Options; TRANSFERS TO <—
19 ADDITIONAL CLASSES.--(a) The board may, by rule, establish a
20 one-fiftieth class or a one-fortieth class with a required
21 member contribution rate of nine per cent for each class unless
22 the board establishes a different contribution rate in
23 accordance with section 7(e).

24 (b) The board may, by rule, authorize the class adopted
25 pursuant to this section to be applied retroactively to the
26 employe's credit service OR ANY PORTION THEREOF. <—

27 (c) Whenever the board has, by rule, authorized the members
28 of the retirement system to make a transfer to the one-fiftieth
29 class or the one-fortieth class, the county annuity shall be
30 calculated in accordance with section 14(c) with the new classes

1 added. Notwithstanding the provisions of section 14(c), if the
2 board adopts the retroactivity provision in subsection (b), the
3 county annuity for all periods of service shall be calculated at
4 the one-fiftieth class rate or one-fortieth class rate, as the
5 case may be.

6 (d) The board may adopt rules pursuant to this section [at
7 any time within the twelve-month period following the effective
8 date of this section] ~~up~~ until December 31, 2006. <—

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