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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 1294** Session of  
2007

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INTRODUCED BY SURRA, GOODMAN, CAPPELLI, COHEN, CONKLIN,  
CREIGHTON, FABRIZIO, FAIRCHILD, FLECK, GEIST, GERGELY,  
GIBBONS, GRUCELA, HENNESSEY, HUTCHINSON, JAMES, KORTZ, KOTIK,  
MAJOR, MURT, M. O'BRIEN, O'NEILL, PARKER, PAYNE, SCAVELLO,  
SHIMKUS, STABACK, TANGRETTI AND YUDICHAK, MAY 18, 2007

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REFERRED TO COMMITTEE ON FINANCE, MAY 18, 2007

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AN ACT

1 Amending Title 24 (Education) of the Pennsylvania Consolidated  
2 Statutes, further providing for creditable nonschool service.

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

5 Section 1. Sections 8304(b) and 8324(e) of Title 24 of the  
6 Pennsylvania Consolidated Statutes are amended to read:

7 § 8304. Creditable nonschool service.

8 \* \* \*

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

11 (1) Intervening military service.

12 (2) Military service other than intervening military  
13 service and activated military service not exceeding five  
14 years provided that a member with multiple service may not  
15 purchase more than a total of five years of military service  
16 in both the system and the State Employees' Retirement

1 System.

2 (3) Service in any public school or public educational  
3 institution in any state other than this Commonwealth or in  
4 any territory or area under the jurisdiction of the United  
5 States. This paragraph includes service, prior to July 1,  
6 1965, at a community college established under the act of  
7 August 24, 1963 (P.L.1132, No.484), known as the Community  
8 College Act of 1963.

9 (4) Service as an administrator, teacher, or instructor  
10 in the field of public school education for any agency or  
11 department of the government of the United States whether or  
12 not such area was under the jurisdiction of the United  
13 States.

14 (5) Previous service as an employee of a county board of  
15 school directors which employment was terminated because of  
16 the transfer of the administration of such service or of the  
17 entire agency to a governmental entity.

18 (6) Previous service as a county employee as a nurse.  
19 For every three years or major fraction thereof in previous  
20 work experience, an individual may buy one year of creditable  
21 service, not to exceed a total of five years. The purchase of  
22 this service shall begin within three years of the employee's  
23 eligibility to purchase this creditable service.

24 (7) (i) Service for the period of time spent on a  
25 maternity leave of absence required by the employer,  
26 which creditable service shall not exceed two years per  
27 leave and shall be applicable only to a maternity leave  
28 which was mandatory prior to May 17, 1975. The purchase  
29 of this service shall begin within one year of the  
30 employee's eligibility to purchase the creditable service

1 under this subparagraph as originally enacted by the act  
2 of August 5, 1991 (P.L.183, No.23), entitled "An act  
3 amending Titles 24 (Education) and 71 (State Government)  
4 of the Pennsylvania Consolidated Statutes, further  
5 providing for the Public School Employees' Retirement  
6 System and the State Employees' Retirement System; adding  
7 and amending certain definitions; further providing for  
8 membership in the systems, for creditable nonschool and  
9 nonstate service and the purchase of credit, for  
10 incentives for special early retirement, for  
11 contributions to the retirement funds, for annuities and  
12 the rights and duties of annuitants, for health insurance  
13 premium assistance, for board membership and for the re-  
14 amortization and management of the retirement funds."

15 (ii) Service for the period of time spent on a  
16 maternity leave of absence required by the employer,  
17 which creditable service shall not exceed two years per  
18 leave and shall be applicable only to a maternity leave  
19 that was mandatory and began after May 16, 1975, and  
20 prior to November 1, 1978. The purchase of this service  
21 shall begin within one year of the employee's eligibility  
22 to purchase the creditable service under this  
23 subparagraph.

24 (8) Service in the Cadet Nurse Corps with respect to any  
25 period of training as a student or graduate nurse under a  
26 plan approved under section 2 of the act of June 15, 1943  
27 (Public Law 78-73, 57 Stat. 153), if the total period of  
28 training under the plan was at least two years, the credit  
29 for such service not to exceed three years.

30 (9) Previous work experience used by the member to

1 obtain certification as a vocational teacher under a  
2 nonbaccalaureate program. The previous work experience used  
3 to obtain certification shall be verified by the department  
4 upon request of the member and shall be transmitted to the  
5 system. For every two years of the previous work experience,  
6 a member may buy one year of creditable service, not to  
7 exceed a total of three years. A fraction of a year of the  
8 previous work experience that is equal to or greater than  
9 one-half shall be considered one year for purposes of this  
10 paragraph. The previous work experience does not include time  
11 served in an apprenticeship.

12 \* \* \*

13 § 8324. Contributions for purchase of credit for creditable  
14 nonschool service.

15 \* \* \*

16 (e) Creditable work experience.--Contributions on account of  
17 T-C credit for creditable work experience pursuant to section  
18 8304(b)(6) and (9) shall be the present value of the full  
19 actuarial cost of the increase in the projected superannuation  
20 annuity caused by the additional service credited on account of  
21 the purchase of creditable work experience. The amount paid for  
22 the purchase of credit for creditable work experience shall not  
23 be payable as a lump sum under section 8345(a)(4)(iii) (relating  
24 to member's options). [Any individual eligible to receive an  
25 annuity, excluding an annuity received under the Federal Social  
26 Security Act (42 U.S.C. § 301 et seq.), in another pension  
27 system, other than a military pension system, shall not be  
28 eligible to purchase this service.]

29 \* \* \*

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