

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1737 Session of
2007

INTRODUCED BY D. O'BRIEN, BENNINGHOFF, BRENNAN, CALTAGIRONE,
COHEN, CONKLIN, COSTA, DENLINGER, FABRIZIO, GILLESPIE,
GOODMAN, GRUCELA, HARPER, HESS, HUTCHINSON, KILLION, KOTIK,
LEACH, MAHONEY, MCGEEHAN, MCILHATTAN, MICOZZIE, MURT, MYERS,
NICKOL, M. O'BRIEN, PARKER, PETRONE, PHILLIPS, PYLE, RAPP,
READSHAW, SCAVELLO, SOLOBAY, THOMAS, VEREB, VULAKOVICH,
WALKO, WATSON AND YOUNGBLOOD, JULY 13, 2007

REFERRED TO COMMITTEE ON FINANCE, JULY 13, 2007

AN ACT

1 Prohibiting any municipal pension or retirement system in a city
2 of the first class from denying certain benefits to surviving
3 spouses of firefighters or certain employees upon a
4 subsequent remarriage of the surviving spouse; and making
5 related repeals.

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

8 Section 1. Prohibited conduct.

9 No municipal pension or retirement system in a city of the
10 first class shall deny any benefit, including pension payments,
11 service-connected death benefits or service-connected health
12 care benefits to any surviving spouse of any firefighter or fire
13 department employee, including fire department pensioners and
14 employees of the fire department, as a result of the remarriage
15 or subsequent marriage of the surviving spouse.

16 Section 2. Repeals.

17 (a) Specific.--The act of May 20, 1915 (P.L.566, No.242),

1 entitled "An act requiring cities of the first class to
2 establish a pension fund for employes of said cities, and all
3 county or other public employes, if any, paid by appropriation
4 of the city councils thereof, and out of the treasury of said
5 cities; and regulating the administration and the payment of
6 such pensions," is repealed to the extent that it would act to
7 deny any benefit, including pension payments, service-connected
8 death benefits or service-connected health care benefits to any
9 surviving spouse of any firefighter or fire department employee,
10 including fire department pensioners and employees of the fire
11 department, as a result of the remarriage or subsequent marriage
12 of the surviving spouse.

13 (b) Inconsistent.--The act of April 21, 1949 (P.L.665,
14 No.155), known as the First Class City Home Rule Act, is
15 repealed insofar as it is inconsistent with this act.
16 Section 3. Effective date.

17 This act shall take effect in 60 days.