

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, YOUNGBLOOD, SIPTROTH AND KORTZ, JULY 13, 2007

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
SEPTEMBER 24, 2008

AN ACT

1 Prohibiting any municipal pension or retirement system in a city
2 of the first OR SECOND class from denying certain benefits to <—
3 surviving 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 OR SECOND class shall deny any benefit, including pension <—
11 payments, service-connected death benefits or service-connected
12 health care benefits, to any surviving spouse of any firefighter <—
13 or fire department employee, including fire department
14 pensioners and employees of the fire department, as a result of
15 the remarriage or subsequent marriage of the surviving spouse.

16 Section 2. Repeals.

~~(a) Specific. The act of May 20, 1915 (P.L.566, No.242),~~ <—

(A) SPECIFIC.-- <—

(1) THE ACT OF MAY 20, 1915 (P.L.566, NO.242), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," is repealed to the extent that it would act to deny any benefit, including pension payments, service-connected death benefits or service-connected health care benefits to any surviving spouse of any firefighter or fire department employee, including fire department pensioners and employees of the fire department, as a result of the remarriage or subsequent marriage of the surviving spouse.

~~(b) Inconsistent. The act of April 21, 1949 (P.L.665,~~ <—

(2) SECTION 9.2(D) OF THE ACT OF MAY 25, 1933 (P.L.1050, NO.242), REFERRED TO AS THE SECOND CLASS CITY FIREMEN RELIEF LAW. <—

(B) INCONSISTENT.--

(1) THE ACT OF APRIL 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, is repealed insofar as it is inconsistent with this act.

(2) ALL ACTS AND PARTS OF ACTS ARE REPEALED INSOFAR AS THEY ARE INCONSISTENT WITH THIS ACT. <—

Section 3. Effective date.

This act shall take effect in 60 days.