
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 128 Session of
2013

INTRODUCED BY HAGGERTY, MICOZZIE, NEILSON, DEAN, KORTZ AND
CALTAGIRONE, JANUARY 16, 2013

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JANUARY 16, 2013

AN ACT

1 Amending the act of September 23, 1959 (P.L.970, No.400),
2 entitled "An act providing for the creation, maintenance and
3 operation of an employes' retirement system in cities of the
4 second class A, and imposing certain charges on cities of the
5 second class A and school districts in cities of the second
6 class A," further providing for credit for military service.

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

9 Section 1. Section 12 of the act of September 23, 1959
10 (P.L.970, No.400), referred to as the Second Class A City
11 Employe Pension Law, amended July 15, 1968 (P.L.342, No.167), is
12 amended to read:

13 Section 12. Credit for Military Service; Payment into Fund;
14 Reimbursement.--Any city employe who, on or after September 16,
15 1940, has been employed by the city for a period of six months
16 and who, on or subsequent to such date, shall have enlisted or
17 been inducted into the military service of the United States in
18 time of war, armed conflict or national emergency so proclaimed
19 by the President or the Congress of the United States, shall
20 have credited to his employment record, for retirement benefits,

1 all of the time spent by him in such military service during the
2 continuance of such war, armed conflict, or national emergency,
3 and such payments as were heretofore or shall hereafter be
4 required to be made during such period by such city employe into
5 the city employes' retirement fund shall be paid into such fund
6 by the city. Any employes who have made payments into the city
7 employes' retirement fund, for which payments the city is liable
8 under the provisions of this act, shall be reimbursed by the
9 city to the full extent of such payments or be given credit
10 towards future payments under this act.

11 Any member of the pension fund who is a contributor and who
12 served in the armed forces of the United States subsequent to
13 September 1, 1940, and who was not a member of the pension fund
14 prior to such military service, and who commenced employment in
15 city service [within three years from] after the date of release
16 from active duty, [may, as the city or school district shall
17 determine,] shall be entitled to have full credit for each year
18 or fraction thereof, not to exceed five years of such service
19 upon his payment to the pension fund an amount equal to that
20 which he would have paid had he been a member during the period
21 for which he desires credit, computed with reference to the
22 compensation he received upon entry into city service and his
23 current percentage of salary deductions, and an additional
24 amount as the equivalent of the contributions of the city and
25 school district on account of such military service, which
26 amount may be paid in a lump sum or by installments as may be
27 approved by the board.

28 Section 2. This act shall take effect immediately.