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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 922 Session of  
2017

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INTRODUCED BY TALLMAN, BLOOM, MILLARD, IRVIN, PICKETT, RYAN,  
KAUFFMAN, WARD, SANKEY, SAYLOR, HEFFLEY, DUSH, ZIMMERMAN,  
B. MILLER, GROVE, KEEFER, D. COSTA, MOUL, COX, PHILLIPS-HILL  
AND CUTLER, MARCH 22, 2017

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 22, 2017

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AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania  
2 Consolidated Statutes, in preliminary provisions relating to  
3 retirement for State employees and officers, further  
4 providing for definitions.

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

7 Section 1. The definition of "State employee" in section  
8 5102 of Title 71 of the Pennsylvania Consolidated Statutes is  
9 amended to read:

10 § 5102. Definitions.

11 The following words and phrases as used in this part, unless  
12 a different meaning is plainly required by the context, shall  
13 have the following meanings:

14 \* \* \*

15 "State employee." Any person holding a State office or  
16 position under the Commonwealth, employed by the State  
17 Government of the Commonwealth, in any capacity whatsoever,  
18 except an independent contractor or any person compensated on a

1 fee basis or any person paid directly by an entity other than a  
2 State Employees' Retirement System employer, and shall include  
3 members of the General Assembly, and any officer or employee of  
4 the following:

5 (1) (i) The Department of Education.

6 (ii) State-owned educational institutions.

7 (iii) Community colleges.

8 (iv) The Pennsylvania State University, except an  
9 employee in the College of Agriculture who is paid wholly  
10 from Federal funds or an employee who is participating in  
11 the Federal Civil Service Retirement System. The  
12 university shall be totally responsible for all employer  
13 contributions under section 5507 (relating to  
14 contributions by the Commonwealth and other employers).

15 (2) The Pennsylvania Turnpike Commission, the Delaware  
16 River Port Authority, the Port Authority Transit Corporation,  
17 the Philadelphia Regional Port Authority, the Delaware River  
18 Joint Toll Bridge Commission, the State Public School  
19 Building Authority, The General State Authority, the State  
20 Highway and Bridge Authority, the Delaware Valley Regional  
21 Planning Commission[, ] and the Interstate Commission of the  
22 Delaware River Basin[, and the Susquehanna River Basin  
23 Commission] any time subsequent to its creation, provided the  
24 commission or authority agrees to contribute and does  
25 contribute to the fund, from time to time, the moneys  
26 required to build up the reserves necessary for the payment  
27 of the annuities of such officers and employees without any  
28 liability on the part of the Commonwealth to make  
29 appropriations for such purposes, and provided in the case of  
30 employees of the Interstate Commission of the Delaware River

1 Basin, that the employee shall have been a member of the  
2 system for at least ten years prior to January 1, 1963.

3 (3) Any separate independent public corporation created  
4 by statute, not including any municipal or quasi-municipal  
5 corporation, so long as he remains an officer or employee of  
6 such public corporation, and provided that such officer or  
7 employee of such public corporation was an employee of the  
8 Commonwealth immediately prior to his employment by such  
9 corporation, and further provided such public corporation  
10 shall agree to contribute and contributes to the fund, from  
11 time to time, the moneys required to build up the reserves  
12 necessary for the payment of the annuities of such officers  
13 and employees without any liability on the part of the  
14 Commonwealth to make appropriations for such purposes.

15 \* \* \*

16 Section 2. The amendment of the definition of "State  
17 employee" in 71 Pa.C.S. § 5102 shall apply to employees of the  
18 Susquehanna River Basin Commission hired on or after the  
19 effective date of this section.

20 Section 3. This act shall take effect immediately.