

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 60 Session of 2019

INTRODUCED BY COX, BARRAR, BERNSTINE, DIAMOND, GILLEN, GROVE, HEFFLEY, IRVIN, JAMES, JOZWIAK, KAUFFMAN, KEEFER, MENTZER, B. MILLER, PICKETT, ROTHMAN, RYAN, ZIMMERMAN, HERSHEY AND MOUL, JANUARY 28, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, FEBRUARY 20, 2019

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,

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

- 6 (1) (i) The Department of Education.
- 7 (ii) State-owned educational institutions.
- 8 (iii) Community colleges.
- 9 (iv) The Pennsylvania State University, except an
10 employee in the College of Agriculture who is paid wholly
11 from Federal funds or an employee who is participating in
12 the Federal Civil Service Retirement System. The
13 university shall be totally responsible for all employer
14 contributions under section 5507 (relating to
15 contributions to the system by the Commonwealth and other
16 employers) and all employer defined contributions to the
17 trust under section 5806 (relating to employer defined
18 contributions).

19 (2) The Pennsylvania Turnpike Commission, the Delaware
20 River Port Authority, the Port Authority Transit Corporation,
21 the Philadelphia Regional Port Authority, the Delaware River
22 Joint Toll Bridge Commission, the State Public School
23 Building Authority, The General State Authority, the State
24 Highway and Bridge Authority[,] AND the Delaware Valley <--
25 Regional Planning Commission[,] ~~and~~ the Interstate Commission <--
26 of the Delaware River Basin[,] and the Susquehanna River Basin <--
27 Commission] any time subsequent to its creation, provided the
28 commission or authority agrees to contribute and does
29 contribute to the fund or trust, from time to time, the
30 moneys required to build up the reserves necessary for the

1 payment of the annuities or other benefits of such officers
2 and employees without any liability on the part of the
3 Commonwealth to make appropriations for such purposes[, and <--
4 provided in the case of employees of the Interstate
5 Commission of the Delaware River Basin, that the employee
6 shall have been a member of the system for at least ten years
7 prior to January 1, 1963]. <--

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

21 * * *

22 Section 2. The amendment of the definition of "State
23 employee" in 71 Pa.C.S. § 5102 TO DELETE "AND THE SUSQUEHANNA <--
24 RIVER BASIN COMMISSION" shall apply to employees of the
25 Susquehanna River Basin Commission whose most recent date of
26 hire by the commission is on or after the effective date of this
27 section.

28 Section 3. This act shall take effect immediately.