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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 823 Session of  
2019

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INTRODUCED BY CONKLIN, GILLEN, HARKINS, HILL-EVANS AND  
SCHLOSSBERG, MARCH 14, 2019

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 14, 2019

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AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania  
2 Consolidated Statutes, in membership, credited service,  
3 classes of service and eligibility for benefits, further  
4 providing for mandatory and optional membership.

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

7 Section 1. Section 5301 of Title 71 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subsection to read:

9 § 5301. Mandatory and optional membership in the system and  
10 participation in the plan.

11 \* \* \*

12 (b.2) Time for electing membership.--

13 (1) Notwithstanding any provision of this part to the  
14 contrary, an individual who becomes a State employee as an  
15 officer listed in subsection (a)(1), (2) or (3) on or after  
16 the effective date of this subsection and who is not a member  
17 of the system may elect membership within 365 days of taking  
18 office.

19 (2) A State employee as an officer listed in subsection

1 (a) (1), (2) or (3) who, on the effective date of this  
2 subsection, is not a member of the system may elect  
3 membership within 365 days of the effective date of this  
4 subsection.

5 (3) State employees who do not elect membership within  
6 the time allowed in this subsection shall not thereafter have  
7 the option to elect membership except after a bona fide  
8 termination of State service and return to State service in a  
9 position allowing membership.

10 \* \* \*

11 Section 2. Nothing in this act shall be construed as  
12 abrogating any regulation promulgated by the State Employees'  
13 Retirement Board prior to the effective date of this section  
14 that provides for a period of time less than that enumerated in  
15 71 Pa.C.S. § 5301(b.1) for State employees whose membership is  
16 optional to elect membership in the State Employees' Retirement  
17 System.

18 Section 3. This act shall take effect immediately.