
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1051 Session of
2017

INTRODUCED BY CUTLER, BURNS, McNEILL, DRISCOLL, THOMAS, O'BRIEN,
A. HARRIS, GOODMAN AND D. COSTA, APRIL 3, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 3, 2017

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania
2 Consolidated Statutes, in retirement for State employees and
3 officers, further providing for definitions and for
4 creditable nonstate service.

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

7 Section 1. Section 5102 of Title 71 of the Pennsylvania
8 Consolidated Statutes is amended by adding a definition to read:
9 § 5102. Definitions.

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

13 * * *

14 "Municipal police officer." An individual employed as a
15 police officer who is certified under the act of February 1,
16 1974 (P.L.34, No.15), known as the Pennsylvania Municipal
17 Retirement Law.

18 * * *

19 Section 2. Section 5304(c) of Title 71 is amended to read:

1 § 5304. Creditable nonstate service.

2 * * *

3 (c) Limitations on nonstate service.--Creditable nonstate
4 service credit shall be limited to:

5 (1) intervening military service if the member returned
6 to State service before January 1, 2012;

7 (2) (i) military service other than:

8 (A) intervening military service;

9 (B) military service purchasable under former
10 section 5302(d) (relating to credited State service)
11 or 5302(f)(1); and

12 (C) military service performed during USERRA
13 leave if the member was reemployed from USERRA leave.

14 (ii) the total creditable nonstate service under
15 this paragraph may not exceed five years, provided that a
16 member with multiple service may not purchase more than a
17 total of five years of military service in both the
18 system and the Public School Employees' Retirement
19 System;

20 (3) in the case of an academic administrator, teacher or
21 instructor employed in the Department of Education, the State
22 System of Higher Education, any State-owned educational
23 institution or The Pennsylvania State University, provided
24 that the total amount of service creditable under this
25 paragraph shall not exceed the lesser of ten years or the
26 number of years of active membership in the system as an
27 academic administrator, teacher or instructor in the
28 Department of Education, State System of Higher Education,
29 any State-owned educational institution or The Pennsylvania
30 State University:

1 (i) nonstudent service as an academic administrator,
2 teacher or instructor in any public school or public
3 educational institution in any state other than this
4 Commonwealth; or

5 (ii) nonstudent service as an academic
6 administrator, teacher or instructor in the field of
7 education for any agency or department of the Federal
8 Government, whether or not such area was under the
9 jurisdiction of the United States;

10 (4) previous service with a governmental agency other
11 than the Commonwealth which employment with said agency was
12 terminated because of the transfer by statute of the
13 administration of such service or of the entire agency to the
14 Commonwealth;

15 (5) service as a temporary Federal employee assigned to
16 an air quality control complement for the Pennsylvania
17 Department of Environmental Resources at any time during the
18 period of 1970 through 1975. This service time may be
19 purchased only if the member makes an election to purchase
20 within one year of the effective date of this paragraph, and
21 the member shall pay an amount which is equal to the full
22 actuarial cost of the increased benefit obtained by virtue of
23 the purchase as provided in section 5505(f);

24 (6) service in the Cadet Nurse Corps with respect to any
25 period of training as a student or graduate nurse under a
26 plan approved under section 2 of the act of June 15, 1943
27 (Public Law 78-73, 57 Stat. 153), if the total period of
28 training under such plan was at least two years, the credit
29 for such service not to exceed three years;

30 (7) service prior to July 1, 1971, at a community

1 college established under the act of August 24, 1963
2 (P.L.1132, No.484), known as the Community College Act of
3 1963; [or]

4 (8) service as a justice of the peace prior to January
5 1970[.]; or

6 (9) service as a municipal police officer within this
7 Commonwealth by a member of the Pennsylvania State Police,
8 the credit for such service not to exceed five years.

9 * * *

10 Section 3. This act shall take effect in 60 days.