

No. 1992-74

AN ACT

HB 1148

Amending the act of June 23, 1931 (P.L.932, No.317), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," repealing a provision relating to the sinking fund commission; and further providing for retirement and discharge of firefighters.

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

Section 1. Section 2702 of the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, reenacted and amended June 28, 1951 (P.L.662, No.164), is repealed.

Section 2. Section 4321 of the act, amended October 4, 1978 (P.L.950, No.188), is amended to read:

Section 4321. Retirement; Final Discharge.—Such regulations shall prescribe a minimum period of continuous service, not less than twenty years and, when any minimum age is prescribed, a minimum age of fifty years, after which members of the department may retire on pension from active duty, and such members as are retired shall be subject to service, from time to time, as a firemen's reserve in cases of emergency until unfitted for such service, when they may be finally discharged by reason of age or disability. With the approval of council, all members of the firemen's pension fund who are contributors and who served in the armed forces of the United States subsequent to September 1, 1940, and who were not members of the firemen's pension fund prior to such military service, shall be entitled to have full credit for each year or fraction thereof, not to exceed five years of such service upon their payment to the firemen's pension fund of an amount equal to that which they would have paid had they been members during the period for which they desire credit, and their payment to such fund of an additional amount as the equivalent of the contributions of the city plus any interest the city would have been required to pay on the contributions on account of such military service. Upon the death of a member who retires on pension or is killed in the service on or after January 1, 1960, or who dies in the service on or after January 1, 1968, payments as hereinafter provided shall be made to **[his] the member's** surviving spouse during **[his life so long as he does not remarry] the life of the spouse**.

Section 3. This act shall take effect as follows:

(1) The amendment of section 4321 of the act shall take effect in 60 days.

- (2) The remainder of this act shall take effect immediately.

APPROVED—The 1st day of July, A. D. 1992.

ROBERT P. CASEY