

No. 301  
AN ACT

SB 981

Amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," further providing for retirement allowances of county employes and their survivors.

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

Section 1. Section 1701, act of July 28, 1953 (P. L. 723), known as the "Second Class County Code," is amended, by adding at the end thereof, a new definition to read:

Section 1701. Definitions.—The following words and phrases as used in this article shall be construed to have the following meaning:

\* \* \*

"Survivor's Benefit Allowance," a portion of a retirement allowance, plus a service increment, if any, to be paid to a surviving spouse of a deceased county employe.

Section 2. Section 1712 of the act is amended by adding at the end thereof, three new subsections to read:

Section 1712. Amount of Retirement Allowances.—\* \* \*

(e) Any present or future married county employe covered under the provisions of this article may receive retirement benefits in accordance with the provisions of this section to which such county employe may be entitled or he or she may elect at anytime before retirement, or before age sixty if retirement benefits commence earlier due to involuntary separation, to receive in lieu thereof benefits under the option as hereinafter set forth, except that no such election may be made if such employe shall be retired as mentally incapacitated or totally or permanently disabled.

The option shall consist of retirement benefits in accordance with the provisions of subsections (a) and (b) of this section but reduced at age sixty, or on commencement of retirement benefits if later, by fifteen per centum plus one per centum for each full year in excess of five years by which the spouse is younger than the married county

employe, with a maximum reduction to sixty-five per centum of such retirement benefits, and minus one per centum for each year by which the spouse is older, with a maximum increase to ninety-five per centum of such retirement benefits. The reduced amount of such retirement benefits shall commence at the time of retirement, but not before age sixty, and shall be paid to the employe subject to the provisions of subsection (d) of this section.

Upon the death of such county employe after reaching age sixty, one-half of the reduced retirement benefits shall be paid on warrants of the board to his or her surviving spouse for life, provided that such benefits in the case of a county employe who shall die after reaching age sixty but before retirement benefits commence, shall be determined as if he or she had retired on the first day of the month before the date of death.

(f) The election by said county employe of the option as provided in subsection (e) of this section shall be final on attainment of age sixty or on later election prior to retirement, and no further election shall be permitted: Provided, That the election shall automatically be cancelled if the county employe shall either be divorced or if his or her spouse shall die, in each case before retirement benefits under the option shall commence.

(g) Sections 1710, 1711 and 1713 are to be construed as applying to the provisions of subsection (e) of this section insofar as the aforesaid sections are applicable.

Section 3. Subsection (b) of section 1714 of the act, amended May 31, 1955 (P. L. 111), is amended to read:

Section 1714. Separation from Service; Refund of Contributions.—  
\* \* \*

(b) If any former county employe receiving a retirement allowance either with or without a service increment shall die before he or she shall have received the total retirement allowance payments plus the service increment, if any, including payments of a survivor's benefit allowance, if any, equal to the total amount of contributions as made

by such former county employe into the retirement fund, then the difference between the total of the retirement allowance payments plus the service increment, if any, including payments of a survivor's benefit allowance, if any, and the total of the amount of contributions paid into the retirement fund by such former county employe shall be paid to such person or persons as he or she shall have designated in writing, as filed with the board, as his or her beneficiary, or to his or her estate.

Section 4. This act shall take effect immediately.

APPROVED—The 30th day of November, A. D. 1967.

RAYMOND P. SHAFER

---

No. 302

AN ACT

SB 1093

Amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," authorizing the sale of liquor and malt or brewed beverages during certain hours on a Sunday when such day is also the thirty-first day of December.

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

Section 1. Subsection (a) of section 406, act of April 12, 1951 (P. L. 90), known as the "Liquor Code," is amended by adding at the end thereof, a new paragraph to read:

Section 406. Sales by Liquor Licensees; Restrictions.—(a) \* \* \*  
Notwithstanding any provisions to the contrary, whenever the thirty-first day of December falls on a Sunday, every hotel or restaurant liquor licensee, their servants, agents or employes may sell liquor and malt or brewed beverages on any such day after one o'clock postmeridian and until two o'clock antemeridian of the following day.