

No. 172

AN ACT

SB 266

Amending the act of May 7, 1965 (P.L.48), entitled "A supplement to the act of May 28, 1915 (P.L.596), entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions,' as to employes of second class A cities, reducing the number of years of employment to qualify for a pension; and increasing pension payments and contributions," reducing the age requirements and increasing certain benefits.

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

Section 1. Section 1, act of May 7, 1965 (P.L.48), entitled "A supplement to the act of May 28, 1915 (P.L.596), entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions,' as to employes of second class A cities, reducing the number of years of employment to qualify for a pension; and increasing pension payments and contributions," amended November 10, 1965 (P.L.835), is amended to read:

Section 1. Every person heretofore, now or hereafter employed by cities of the second class A as herein provided, if any, of the age of ~~[sixty]~~ *fifty-five* years and upwards, who shall have been so employed for a period of fifteen years or more, and have contributed to the fund for twenty years or more, shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive the pension or compensation fixed by this act, subject to such qualifications as are herein contained.

Section 2. Section 2 of the act is amended to read:

Section 2. (a) During the lifetime of the said person, he or she shall be entitled to receive a pension from the fund set aside for the purpose, at a rate equal to seventy-five per centum of the amount which would constitute the average rate of pay received during the last five years of his or her employment by the said city, payable monthly, but in no case shall the pension payable to any one payable employe exceed ~~[one hundred and fifty dollars (\$150)]~~ *two hundred fifty dollars (\$250)*, a month. Such pension shall be payable to any person so employed for fifteen years or more by the city when such person shall attain the age of ~~[sixty]~~ *fifty-five* years; should any person so employed, after fifteen years of service, voluntarily retire, be dismissed, or be in any way deprived of his or her employment with the city before attaining the age of ~~[sixty]~~ *fifty-five* years, he or she shall be entitled to the pension after retirement upon continuing a monthly payment to the fund equal to the last amount due and payable while in active service. If any pension be granted to a person

who has not been a contributor to the pension fund as herein provided for the period of twenty years but has contributed for at least fifteen years, such person shall be required to pay unto the board of pensions an amount equal to three per centum of the last monthly salary paid to such person, but not in excess of six dollars (\$6) per month, multiplied by the number of months necessary to complete the twenty-year period, with interest, or in the alternative, after so computing the amount needed to complete the twenty-year period, the board may withhold the payment of pension until such amount has been refunded to the board of pensions.

(b) In the event any employe becomes totally and permanently disabled after ten years of service and before attaining the age of [sixty] *fifty-five* years, he or she shall forthwith be entitled to such pension upon making the contribution as aforesaid. Proof of total and permanent disability shall consist of a sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. The board of pensions may, not more frequently than once a year, require a disability pensioner to undergo a medical examination by three physicians appointed by the board, and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated, and should the pension board concur in such report, the pension of such beneficiary shall be discontinued.

APPROVED—The 17th day of July, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 172.

A handwritten signature in cursive script, appearing to read "Joseph P. Kelly".

Secretary of the Commonwealth.