

No. 1979-53

AN ACT

HB 334

Amending the act of August 31, 1971 (P.L.398, No.96), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system, and imposing certain charges on counties and providing penalties," further providing credits for military service.

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

Section 1. Section 13, act of August 31, 1971 (P.L.398, No.96), known as the "County Pension Law," is amended to read:

Section 13. Credit for Military Service; Payments into Fund; Reimbursement.—(a) Any county employe who, on or after September 16, 1940 has been employed by the county for a period of six months and who, on or subsequent to such date, shall have enlisted or been inducted into the military service of the United States in time of war, armed conflict or national emergency, so proclaimed by the President or the Congress of the United States, shall have credited to his employment record, for retirement benefits, all of the time spent by him in such military service during the continuance of such war, armed conflict or national emergency. **[and, such payments as were heretofore or shall hereafter be required to be made during such period by such county employe into the fund] Contributions on account of credit for intervening military service shall be determined by the employe's contribution rate and compensation at the time of entry of the member into active military service, together with interest during all periods of subsequent county service to date of purchase. Said contributions shall be paid into the fund by the county. Any employes who have made payments into the fund for which payments the county is liable shall be reimbursed by the county to the full extent of such payments, or be given credit towards future employe payments.**

(b) With the approval of the county retirement board, all members of the 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 fund prior to such military service, shall be entitled to have full service credit for each year or fraction thereof, not to exceed five years of such service. The amount due for the purchase of credit for military service other than intervening military service shall be determined by applying the employe's basic contribution rate plus the county's normal contribution rate for active members at the time of entry, subsequent to such military service, of the employe into county service to his average annual rate of compensation over the first three years of such subsequent county service and multiplying the result by the number of years and fractional part of a year of creditable nonintervening military service being

purchased together with interest during all periods of subsequent county service to date of purchase. Said contributions shall be paid into the fund by the employe: Provided, That the member has three years of county service subsequent to such military service: Provided further, That he is not entitled to receive, eligible to receive now or in the future, or is receiving retirement benefits for such service under a retirement system administered and wholly or partially paid for by any other governmental agency.

Section 2. This act shall take effect immediately.

APPROVED—The 20th day of July, A. D. 1979.

DICK THORNBURGH