

No. 1992-80

## AN ACT

HB 1697

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 for simultaneous payments of salary and retirement allowances.

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

Section 1. Section 24 of the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, amended November 21, 1990 (P.L.551, No.136), is amended to read:

Section 24. Simultaneous Payments of Salary and Retirement Allowance.—Should a retiree [receiving a retirement allowance] be reemployed [by the county as an appointed employe or as an elected official] *as a county employe*, the retirement allowance of such person shall immediately cease. Such person shall thereupon be reinstated as a contributor; and, there shall be restored to his credit as accumulated deductions the actuarial value of his member's annuity computed as of the date of his reemployment. Should he refuse to surrender his right to retirement allowance as of the date of his reemployment, it shall be unlawful for the county to reemploy him. For the purposes of this section if a person serves as a juror, master, or arbitrator or is [employed] *prohibited from being a member of the system by home rule charter, he shall not be deemed reemployed. If a retiree is reemployed on a part-time basis, the retirement allowance shall not cease, but shall be reduced by an amount equal to the amount of compensation received by the employe for service in excess of 1000 hours per year. Such reduction shall, however, not exceed the amount of the retirement allowance. [A retiree reemployed on a part-time basis exceeding 1000 hours shall be considered an appointed employe for the purposes of this section.] A retiree reemployed on a part-time basis shall not be reinstated as a contributor and shall not receive additional service credit for retirement purposes.*

Section 2. This act shall be retroactive to January 1, 1991.

Section 3. This act shall take effect immediately.

APPROVED—The 2nd day of July, A. D. 1992.

ROBERT P. CASEY