

## No. 66

## AN ACT

Amending the act of May twenty-two, one thousand nine hundred thirty-five (Pamphlet Laws 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired, and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines, and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," limiting contributions to the pension fund by members in active service, changing requirement for eligibility for pensions, changing the method of computing pensions, and providing a method of paying service increments from the pension fund to employees of the police force after retirement.

Cities of the second class.

Clause (6), section 2 and section 10, act of May 22, 1935, P. L. 233, amended June 25, 1947, P. L. 919, further amended.

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

Section 1. Clause (6) of section two and section ten, act of May twenty-two, one thousand nine hundred thirty-five (Pamphlet Laws 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired, and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines, and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," amended June twenty-five, one thousand nine hundred forty-seven (Pamphlet Laws 919), are amended to read:

Section 2. Such fund shall consist of and to it shall be transferred and paid—

\* \* \* \* \*

(6) Sums to be annually paid into said fund by each city of the second class, in amounts sufficient to maintain the pensions or compensations *and service increments* due under this act. The public authorities of every city of the second class, charged with the disbursements, expenditures, and appropriations thereof, shall annually set aside, apportion, and appropriate out

of all taxes and income of the said cities unto the fund hereby created, a sum sufficient to maintain the pensions or compensations *and service increments* due under this act, and to carry out the provisions of this act.

\* \* \* \* \*

Section 10. Each member in active service shall be required—

(1) To contribute to said fund five per centum of his rated monthly salary or wages, *but in no event contributing more than twenty-five dollars per month*, which shall be deducted from his salary or wages, by the city controller from the payroll for the last half of each month, and paid into the fund.

(2) Substitute employees of the Bureau of Police, as classified under subsection (1) of section 8 hereof, shall be credited for pension and paid on the basis of actual days served in the Bureau of Police.

(3) Regular and substitute employees shall serve at least one day in each month in order to be credited for one month's service for pension under this act.

Section 2. Clause (3) of section thirteen of the act, amended May eleven, one thousand nine hundred forty-nine (Pamphlet Laws 1224), is amended to read:

Clause (3), section 13, amended May 11, 1949, P. L. 1224, further amended.

Section 13. Members of the fund shall be eligible to receive pensions from said fund as follows—

\* \* \* \* \*

(3) Any member, who has become a member of this fund, under the provisions of sub-section (1) of section 8 hereof, or who has been admitted to membership under the provisions of sub-section (2) or sub-section (3) of section 8 hereof, more than sixty days after the effective date of this act, shall be entitled to receive a pension from said fund upon written application of such member, stating his desire to withdraw from service in said city or that his employment by the said city has been terminated, and showing that such member has attained the age of fifty years and has rendered at least twenty years' [continuous] service *whether or not continuous* to the said city and shall include service in the armed forces of the United States in times of war.

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Section 3. Section fourteen of the act, amended May twenty-two, one thousand nine hundred fifty-one (Pamphlet Laws 333), is repealed.

Section 14, amended May 22, 1951, P. L. 333, repealed.

Section 4. The act is amended by adding after section 13 a new section to read:

New section 14 added.

*Section 14. Pensions paid under the provisions of this act shall equal not less than fifty per centum of the amount which would constitute the average monthly salary or wages as received by the employees of the Bureau of Police during the highest paid five years in which time the employee made monthly contributions to the*

*pension fund prior to his or her retirement. No pension shall be computed on a monthly salary or wage in excess of five hundred dollars nor shall a pension be paid for a fraction of a service year. A service year shall be computed from the date of employment of the employee. Pension payments shall always be payable on the third working day of each month and shall be for the preceding month.*

New sections  
14.2, 14.3 and  
14.4 added.

Section 5. The act is amended by adding after section 14.1 three new sections to read:

*Section 14.2. Any member who, after twenty or more years service and before attaining the age of fifty years, shall be separated from the service by reason of no cause or act of his or her own, if such member continues to contribute to the pension fund monthly a sum equal to the last monthly contribution paid while in employ such former employee shall, when he or she reaches the age of fifty years, be eligible to receive a pension allowance.*

*Section 14.3. Any person who, after twenty or more years service retires voluntarily before reaching the age of fifty years, shall pay into the pension fund monthly a sum equal to the last monthly contribution paid while in the service until he or she reaches the age of fifty years when such former employee shall be eligible to receive a pension allowance.*

*Section 14.4. In every city of the second class, in addition to the pension which is authorized by law and notwithstanding the limitations therein placed upon pensions and upon contributions, every contributor who shall have otherwise become entitled to the pension and who has reached the age of fifty years shall also be entitled to the payment of a service increment in accordance with and subject to the conditions hereinafter set forth.*

*(1) Service increment shall be the sum obtained by computing the number of whole years after the completion of twenty years' service which a contributor has been employed by the Bureau of Police and paid out of the city treasury and multiplying the number of years so computed by an amount equal to five dollars for each month of service beyond twenty years of service. This sum shall be divided by twelve to arrive at the monthly increment payment. In computing the service increment no employment after the contributor has reached the age of sixty-five years shall be included and no service increment shall be paid in excess of one hundred dollars per month.*

(2) *Each contributor from and after the effective date of this amendment shall pay into the retirement fund as the contribution to the increment fund a monthly sum in addition to his or her retirement contribution which shall be equal to one-half of one per centum of his or her salary. Such payment shall not exceed the sum of one dollar per month. The service increment contribution shall not be paid after a contributor has reached the age of sixty-five years.*

(3) *Persons who are contributors on the effective date of this amendment, who have already reached the age of sixty-five years, shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday. Such person, however, shall be entitled to the increment only by paying in the one dollar per month contribution for the number of months his or her service exceeds twenty years but such contribution shall not exceed a total of one hundred dollars.*

(4) *Service increment contributions shall be paid at the same time and in the same manner as pension contributions and may be withdrawn in full without interest by persons who leave the employment of the Bureau of Police, subject to the same conditions by which pension contributions may be withdrawn. When any person is re-employed by the Bureau of Police after withdrawal of pension contributions, his or her prior service shall not be used in the computation of service increment unless the amount of such contributions be repaid into the pension fund subject to the same conditions by which pension fund withdrawals are permitted to be repaid.*

(5) *All employees of the Bureau of Police who are now contributors to the pension fund and all persons who are employed by the Bureau of Police after the effective date of this amendment who are required to become contributors to the pension fund shall be subject to the provisions of this section.*

Section 6. The provisions of this amending act shall have no application to, or any effect on pensions now being paid to persons retired on the effective date of this act, nor shall persons on retirement pension on the effective date of this act, if re-employed, receive any increase in pension as a result of these amendments.

Section 7. This act shall take effect January 1, 1956.

Act effective  
January 1, 1956.

APPROVED—The 28th day of June, A. D. 1955.

GEORGE M. LEADER