

No. 106

AN ACT

SB 451

Amending the act of June 1, 1959 (P.L.350), entitled "An act relating to the retirement of public school employes; amending, revising, consolidating and changing the laws relating thereto," providing for minimum and supplemental benefits for certain annuitants.

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

Section 1. Subsection (5) of section 407, act of June 1, 1959 (P.L.350), known as the "Public School Employes' Retirement Code of 1959," added June 28, 1967 (P.L.129), is amended to read:

Section 407. Minimum and Supplemental Benefits to Former School Employes.—

* * *

(5) Every annuitant who is in receipt of a superannuation [**or disability allowance**] *disability or withdrawal retirement annuity* shall be entitled to receive a supplemental State annuity which shall be equivalent to the amount by which his retirement [**allowance**] *annuity* prior to any optional modification, *or, in the case of a withdrawal retirement annuity, prior to actuarial reduction by reason of retirement before reaching superannuation retirement age*, is less than [**sixty-five dollars (\$65)**] *one hundred dollars (\$100)* for each year of credited service. [**not in excess of forty (40) years: Provided, however, That the sum of (a) the retirement allowance prior to optional modification, (b) any social security old age or disability insurance benefit (primary insurance amount) attributable to service as a school employe, and (c) the supplemental State annuity, shall not exceed two thousand six hundred dollars (\$2,600) per year.**]

* * *

Section 2. Section 407 of the act is amended by adding a new subsection to read:

Section 407. Minimum and Supplemental Benefits to Former School Employes.—

* * *

(7) *Every annuitant who is in receipt of a superannuation, withdrawal or disability retirement annuity which became effective prior to July 1, 1967, including every annuitant who is a member of Class T-C who retired prior to July 1, 1967, shall have his retirement annuity recomputed in accordance with the provisions of clause (c) of subsection (1) of section 401 of this act and shall receive the greater of: (i) such increased benefit or (ii) the amount determined in accordance with subsection (5) of section 407 of this act.*

Section 3. This act shall take effect July 1, 1971.

APPROVED—The 9th day of September, A. D. 1971.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 106.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "T".

Secretary of the Commonwealth.