

No. 1987-69

AN ACT

HB 1289

Amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for special early retirement; and further providing for payments on accounts of Social Security deductions from appropriations.

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

Section 1. The introductory paragraph and paragraph (3) of section 8312 of Title 24 of the Pennsylvania Consolidated Statutes are amended to read:

§ 8312. Eligibility for special early retirement.

Notwithstanding any provisions of this title to the contrary, for the period only of July 1, 1985 to June 30, [1987] 1989, the following special early retirement provisions shall be applicable to specified eligible members as follows:

* * *

(3) During the period of July 1, [1986] 1987 to June 30, [1987] 1989, [any] a member who has credit for at least 30 eligibility points shall be entitled, upon termination of service and filing of a proper application, to receive a maximum single life annuity calculated pursuant to section 8342 without any reduction by virtue of an effective date of retirement which is under the superannuation age.

Section 2. Section 8329 of Title 24 is amended to read:

§ 8329. Payments on account of social security deductions from appropriations.

(a) Payments by Commonwealth.—Where the Secretary of Education enters into an agreement with the Commonwealth to place under the Federal Social Security Act members who have elected coverage, the Commonwealth shall pay [into the contribution fund created under the provisions of the act of January 5, 1952 (1951 P.L. 1833, No. 491), relating to social security coverage for government employees, such amounts and at such times as are required to be paid by the employers and the covered employees on account of such coverage.] to the employers one-half of the contributions payable under the employer's tax established by the Social Security Act (Public Law 74-271, 42 U.S.C. § 301 et seq.) on all covered wages which are not federally funded.

(b) Reimbursement by employers.—The Commonwealth shall be reimbursed by the employers to the extent of the total amounts contributable by covered employees and by one-half of the contributions payable under the employer's tax established by the Federal Social Security Act on all covered wages which are not Federally funded. For the purpose of this part, the tax

contributions payable shall be the first obligation against any State funds received by the employer for their use or authorized under the act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949," and shall first be paid therefrom.

(e)] (b) Deduction from appropriations.—The Secretary of Education and the State Treasurer are hereby authorized to cause to be deducted and paid into or retained in the State Treasury from any moneys due to any employer on account of appropriations for schools or other purposes the amounts payable under the provisions of this section.

Section 3. Section 5308.1 of Title 71 is amended to read:

§ 5308.1. Eligibility for special early retirement.

Notwithstanding any provisions of this title to the contrary, for the period only of July 1, 1985 to June 30, [1987] 1989, the following special early retirement provisions shall be applicable to specified eligible members as follows:

(1) During the period of July 1, 1985 to June 30, [1987] 1989, [any] *an* active member who has attained the age of at least 53 years and has accrued at least 30 eligibility points shall be entitled, upon termination of State service and compliance with section 5907(f) (relating to rights and duties of State employees and members), to receive a maximum single life annuity calculated [pursuant to] *under* section 5702 (relating to maximum single life annuity) without [any] *a* reduction by virtue of an effective date of retirement which is under the superannuation age.

(2) During the period of July 1, 1985 to June 30, [1987] 1989, [any] *an* active member who has attained the age of at least 50 years but not greater than 53 years and has accrued at least 30 eligibility points shall be entitled, upon termination of State service and compliance with section 5907(f), to receive a maximum single life annuity calculated [pursuant to] *under* section 5702 with a reduction by virtue of an effective date of retirement which is under the superannuation age of a percentage factor which shall be determined by multiplying the number of months, including a fraction of a month as a full month, by which the effective date of retirement precedes the attainment of age 53 by 0.25%.

Section 4. The provisions of section 7 of the act of July 9, 1981 (P.L.208, No.66), known as the Public Employee Retirement Study Commission Act, shall not apply to this act.

Section 5. This act shall be retroactive to July 1, 1987.

Section 6. This act shall take effect immediately.

APPROVED—The 13th day of July, A. D. 1987.

ROBERT P. CASEY