

No. 2003-43

AN ACT

HB 545

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," changing vesting rights; and providing additional class options.

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

Section 1. Section 2(16) of the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, amended December 20, 1983 (P.L.282, No.75), is amended to read:

Section 2. Definitions.—As used in this act:

* * *

(16) "Vesting" means the right of a contributor who separates from service after having completed [eight] five or more years of credited service to leave accumulated deductions credited to his account in the fund and upon reaching superannuation retirement age receive a superannuation retirement allowance.

Section 2. The act is amended by adding a section to read:

Section 7.1. Additional Class Options.—(a) The board may, by rule, establish a one-fiftieth class or a one-fortieth class with a required member contribution rate of nine per cent for each class unless the board establishes a different contribution rate in accordance with section 7(e).

(b) The board may, by rule, authorize the class adopted pursuant to this section to be applied retroactively to the employe's credit service.

(c) Whenever the board has, by rule, authorized the members of the retirement system to make a transfer to the one-fiftieth class or the one-fortieth class, the county annuity shall be calculated in accordance with section 14(c) with the new classes added. Notwithstanding the provisions of section 14(c), if the board adopts the retroactivity provision in subsection (b), the county annuity for all periods of service shall be calculated at the one-fiftieth class rate or one-fortieth class rate, as the case may be.

(d) The board may adopt rules pursuant to this section at any time within the twelve-month period following the effective date of this section.

Section 3. This act shall take effect immediately.

APPROVED—The 16th day of December, A.D. 2003.

EDWARD G. RENDELL