

Withdrawal of contributor from retirement system, or retirement before contributions fully paid.

Repayments to contributors in case of separation from retirement system in certain cases.

Forfeiture of annuity and direction that money paid therefor be applied to required contributions.

Two if a present employe. In the event that a contributor withdraws from the retirement system, or retires on superannuation or disability retirement before such contributions are fully paid, the employe's annuity and his State annuity shall be credited with the number of years of out-of-state service or fractional parts thereof, for which he has purchased credit, to the date of application for retirement. *In the event that a contributor separates from the retirement system otherwise than by superannuation, disability or withdrawal allowance, the amount paid by him under this section as the equivalent of the contributions of the school district and the Commonwealth shall be paid to him or to a designated beneficiary at his request.* Any contributor who has purchased an annuity under the provisions of subsection six point one of section eight of this act may forfeit such annuity, and direct that the money paid into the School Employes Retirement Fund therefor be applied to the contributions required by this section.

APPROVED—The 28th day of July, A. D. 1953.

JOHN S. FINE

No. 217

AN ACT

To further amend subsection (b) of section 1403 of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the composition of the return board and imposing duties on county solicitors.

"Pennsylvania Election Code."

Subsection (b) of section 1403, act of June 3, 1937, P. L. 1333, as amended by act of January 14, 1952, P. L. 1936, further amended.

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

Section 1. Subsection (b) of section 1403 of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination *of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation

* "and" in original.

of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," as amended by the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (Pamphlet Laws 1936), is hereby further amended to read as follows:

Section 1403. Place of Meeting for Computation of Votes; Notice; Papers to Be Prepared; Assistants to Be Sworn.—

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(b) If any member of the county board of any county shall be a candidate for any nomination or election to public office, he shall not act as a member of said board for the computation and canvassing of returns, but the other members, if qualified, shall act; and in case in any county there are not at least a majority of the members of said board so qualified, two (2) or more judges of the court of common pleas shall be designated by said court to act as a return board, provided that neither of them is a candidate for any nomination or election to public office; and if there shall be only one judge of such court in such county or if less than two (2) judges are qualified and able to act in such county, any judge who is qualified may act alone, and if there be none qualified, [the prothonotary of such county shall act as the return board, and if the prothonotary shall be a candidate for any nomination or election to any public office, then the sheriff of the county shall act as the return board, and if the sheriff shall be a candidate for any nomination or election to any public office, then the president judge of the court of common pleas in such county shall make a written request to the Chief Justice of the Supreme Court for the assignment of a judge from another judicial district who shall act as the return board] *the following county officers, in order named, not being candidates for any nomination or election to any public office, shall act as the return board: the prothonotary, sheriff, county treasurer, clerk of the orphans' court, clerk of oyer and terminer and quarter sessions court, register of wills and the recorder of deeds. If none of the above officers can qualify, the president judge of the court of common pleas in such county shall make a written request to the Chief Justice of the Supreme Court for the assignment of a judge from another judicial district, who shall act as the return board. The county solicitor shall serve as counsel for the return board in the several counties of the Commonwealth and shall receive no additional compensation therefor in addition to his compensation as county solicitor.*

APPROVED—The 28th day of July, A. D. 1953.

JOHN S. FINE