

service of the United States in time of war, *armed conflict* or national emergency, so proclaimed by the President of the United States, shall have credited to his employment record, for pension or retirement benefits, all of the time spent by him in such military service during the continuance of such war, *armed conflict* or national emergency if such person returns or has heretofore returned to his employment within six months after his separation from the service.

APPROVED—The 27th day of September, A. D. 1955.

GEORGE M. LEADER

No. 157

AN ACT

Amending the act of June eleven, one thousand nine hundred thirty-five (Pamphlet Laws 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records", extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

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

Counties of the first class.

Section 1. Section one, act of June eleven, one thousand nine hundred thirty-five (Pamphlet Laws 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," amended May twenty-one, one thousand nine hundred forty-three (Pamphlet Laws 294), is amended to read:

Section 1, act of June 11, 1935, P. L. 326, amended May 21, 1943, P. L. 294, further amended.

Section 1. Be it enacted, &c., Definition.—The term "deceased service persons," as used in this act, shall be defined and construed to mean and include:

"Deceased service persons" defined.

(1) Any deceased person, who at the time of his or her death, was serving (whether or not in a combat zone) in the Army, Navy, Marine Corps or Coast Guard during any war or *armed conflict* in which the United States has been, is now or shall hereafter be engaged, or who, at the time of his or her death, was serving in a zone where a campaign or state or condition of war or *armed conflict* then existed, in which the United States was, is or shall be a participant. The existence

of a campaign or state or condition of war or *armed conflict*, and the participation of the United States therein, as well as the fact that the deceased person served in a zone where such campaign or state or condition of war or *armed conflict* existed, shall in each case be established by the records of the War or Naval Departments of the Federal Government; or

(2) Any deceased person who had so served at any time during his or her life, and whose separation from such service was honorable, whether by discharge or otherwise, or who at the time of his or her death was continuing in such service after the cessation of the war *armed conflict*, campaign or state or condition of war during or in which he or she served; or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania, under and in pursuance of any proclamation issued by the Governor, during the Civil War and not duly mustered into the service of the United States, and has been honorably discharged or relieved from such service.

The term "legal residence" as used in this act shall be construed as synonymous with "domicile," and is hereby defined as actual residence, coupled with intention that it shall be permanent, or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period. Legal residence is to be determined by abode of person, and his or her intention to abandon his or her former domicile and establish a new one. The legal residence of a deceased service person shall be *prima facie* in the county where he or she made his or her abode at the time of his or her death.

APPROVED—The 27th day of September, A. D. 1955.

GEORGE M. LEADER

No. 158

AN ACT

Amending the act of July twenty-eight, one thousand nine hundred fifty-three (Pamphlet Laws 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto", extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

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

Second Class
County Code.

Section 2108, act
of July 28, 1953,
P. L. 723,
amended.

Section 1. Section two thousand one hundred eight, act of July twenty-eight, one thousand nine hundred fifty-three (Pamphlet Laws 723), known as the "Second Class County Code," is amended to read: