

Conviction  
in summary  
proceeding.  
Penalty.

*home or private hospital without a license required by this act, shall, [be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000.00), or to undergo imprisonment not exceeding one year, or both] upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than twenty-five dollars (\$25) nor more than three hundred dollars (\$300) and costs of prosecution, and, in default of the payment thereof, to undergo imprisonment for not less than ten days nor more than thirty days. Each day of maintaining or operating a private nursing home, private convalescent home or private hospital without a license required by this act shall constitute a separate offense.*

Repealer.

Section 10. The act of May six, one thousand nine hundred twenty-nine (Pamphlet Laws 1561), entitled "An act regulating certain maternity hospitals in cities of the third class, boroughs, towns and townships; providing for the licensing and supervision thereof by the Department of Welfare of this Commonwealth; fixing penalties; and placing the burden of proof as to certain facts on the persons prosecuted," and its amendments, are repealed.

Act effective  
immediately.

Section 11. This act shall take effect immediately.

APPROVED—The 12th day of April, A. D. 1956.

GEORGE M. LEADER

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No. 480

AN ACT

Amending the act of June twenty-seven, one thousand nine hundred twenty-three (Pamphlet Laws 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting certain contributors to change from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class, and defining the benefits to be obtained thereby.

State employes'  
retirement  
system.

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

Section 1. Subsection (9) of section eight, act of June twenty-seven, one thousand nine hundred twenty-three (Pamphlet Laws 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," amended January fourteen, one thousand nine hundred fifty-two (Pamphlet Laws 1911), is amended to read:

Subsection (9),  
section 8, act of  
June 27, 1923,  
P. L. 858,  
amended Janu-  
ary 14, 1952,  
P. L. 1911,  
further amended.

State Employes' Retirement Fund and Accounts.

Section 8.

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(9) A contributor, whether an original member or a new member, who is in active service on the first day of June, one thousand nine hundred forty-nine, may transfer from the one one-hundredth-sixtieth (1-160) class to the one one-hundredth (1-100) class: Provided, That he completes the transfer on or before the thirty-first day of December, one thousand nine hundred and [forty-nine] *fifty-six*: Provided further, That a person separated from State service on the first day of June, one thousand nine hundred forty-nine, who returns to State service after such date and rejoins the retirement association may transfer from the one one-hundredth-sixtieth (1-160) class to the one one-hundredth (1-100) class, if such transfer is requested in writing within sixty (60) days from the date of this amendment or the date of return to State service, whichever is later: Provided also, That in the event of such transfer, the percentum of salary deductions applicable to such transferred member in the one one-hundredth (1-100) class shall be based upon the same age of the contributor as was used in determining the percentum of salary deduction applicable while in the one one-hundredth-sixtieth (1-160) class.

Where a member has transferred from the one one-hundredth-sixtieth (1-160) class to the one one-hundredth (1-100) class, as above provided, his State annuity upon retirement shall, except as hereinafter provided, be calculated as follows:

(a) For service prior to the time of transfer, at the one one-hundredth-sixtieth (1-160) rate.

(b) For service subsequent to the date of transfer to the date of retirement, at the one one-hundredth (1-100) rate.

(c) For all service prior to the time of commencing contribution, as the time he contributed at the one one-hundred-sixtieth (1-160) rate bears to the total time of contribution, and as the time he contributed at the one one-hundredth (1-100) rate bears to the total time of contribution.

A contributor, whether an original member or a new member on the first day of June, one thousand nine hundred forty-nine, and who heretofore has transferred or shall hereafter transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class, as above provided, may, on or before the thirty-first day of December, one thousand nine hundred [forty-nine] *fifty-six*, pay to the retirement association a sum equal to the difference between the sum of the amounts that would have been deducted from his or her payroll each payroll period since he or she became a member if he or she had elected to contribute in the one one-hundredth (1-100) class, and the sum of the amounts actually deducted, or, in lieu of the payment of a lump sum, a member transferring, as herein provided, may pay such sum in installments through payroll deductions. Such back payments may be spread over a period of years by having such regular payroll deductions of such persons increased by not less than one-third of the amount thereof, which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full, unless such member is retired under the provisions of this act before such back payments have been completed. Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted, and if not so anticipated, then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated. The State annuity, upon retirement of any member having made such payments in full, shall be the same as though the member had elected to contribute in the one one-hundredth (1-100) class immediately upon becoming a member.

Act effective  
immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 12th day of April, A. D. 1956.

GEORGE M. LEADER