

No. 1985-35

AN ACT

SB 123

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," authorizing the withdrawal of accumulated deductions and interest if authorized by the board.

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

Section 1. Section 15 of the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, is amended to read:

Section 15. Options on Superannuation Retirement.—At the time of his superannuation retirement, any retiree may elect to receive either his retirement allowance payable throughout life, or to receive the full amount of the accumulated deductions standing to his individual credit in the members' annuity reserve account at the time of his voluntary or involuntary retirement, or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that:

(1) Option One. If he dies before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement, the balance shall be paid to his legal representative or to a person or persons having an insurable interest in his life, as he shall nominate by written designation, duly acknowledged and filed with the board at the time of his retirement or at any time thereafter.

(2) Option Two. Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation, duly acknowledged and filed with the board at the time of his retirement.

(3) Option Three. Upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation, duly acknowledged and filed with the board at the time of his retirement.

Should a retiree, *who has not elected to receive in one payment the full amount of the accumulated deductions standing to his individual credit in the members' annuity reserve account at the time of his retirement pursuant to section 15.1*, select a retirement allowance payable throughout his life and fail to receive payments at least equal to his accumulated deductions as of the date of retirement, an amount equal to the balance of his accumulated deductions shall be paid to his legal representative or to a person having an insurable interest in his life, as he shall nominate by written designation filed with the board.

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

Section 15.1. Option to Withdraw Accumulated Deductions and Accumulated Interest.—If authorized by action of the board as an option for its members, any member of the county retirement system who is eligible to retire and receive a superannuation retirement allowance, an involuntary retirement allowance or a voluntary retirement allowance after twenty years of service may elect to receive, in one payment, the full amount of the accumulated deductions and accumulated interest thereon standing to his credit in the members' annuity reserve account at the time of his retirement. Any member who makes such an election shall forfeit the member's annuity portion of his retirement allowance but shall continue to be entitled to the county annuity portion upon retirement if he is otherwise so entitled. Any member who exercises the option provided for in this section may elect to receive his county annuity payable throughout life or to receive the actuarial equivalent of his county annuity in a lesser retirement allowance payable throughout life with provisions that:

(1) Option One. If the member dies before receiving in payments the present value of his county annuity as it was at the time of his retirement, the balance shall be paid to the member's legal representative or to a person or persons having an insurable interest in his life, as the member shall nominate by written designation, duly acknowledged and filed with the board at the time of his retirement or at any time thereafter.

(2) Option Two. Upon the member's death, his county annuity shall be continued through the life of and paid to such person having an insurable interest in his life, as the member shall nominate by written designation, duly acknowledged and filed with the board at the time of his retirement.

(3) Option Three. Upon the member's death, one-half of his county annuity shall be continued through the life of and paid to such person having an insurable interest in his life, as the member shall nominate by written designation, duly acknowledged and filed with the board at the time of his retirement.

Section 3. This act shall take effect in 60 days.

APPROVED—The 3rd day of July, A. D. 1985.

DICK THORNBURGH