

## No. 2004-184

## AN ACT

## HB 798

Prohibiting any municipal pension or retirement system in a city of the first class from denying certain benefits to surviving spouses of police officers or certain employees upon a subsequent remarriage of the surviving spouse; and making repeals.

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

**Section 1. Prohibited conduct.**

No municipal pension or retirement system in a city of the first class shall deny any benefit, including pension payments, service-connected death benefits or service-connected health care benefits to any surviving spouse of any police officer or police employee, including police pensioners and employees of the police division, as a result of the remarriage or subsequent marriage of the surviving spouse.

**Section 2. Repeals.**

(a) Specific.—The act of May 20, 1915 (P.L.566, No.242), entitled “An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions,” is repealed to the extent that it would act to deny any benefit, including pension payments, service-connected death benefits or service-connected health care benefits to any surviving spouse of any police officer or police employee, including police pensioners and employees of the police division, as a result of the remarriage or subsequent marriage of the surviving spouse.

(b) Inconsistent.—The act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, is repealed insofar as it is inconsistent with this act.

**Section 3. Effective date.**

This act shall take effect in 60 days.

APPROVED—The 30th day of November, A.D. 2004.

EDWARD G. RENDELL