



COMMONWEALTH OF PENNSYLVANIA
PUBLIC EMPLOYEE RETIREMENT COMMISSION
P. O. BOX 1429, HARRISBURG, PA 17105-1429

February 4, 2015

The Honorable William F. Adolph, Jr.
Majority Chairman
House Appropriations Committee
House of Representatives
245 Main Capitol Building
Harrisburg, PA 17120

Re: House Bill Number 89, Printer's Number 79

Dear Representative Adolph:

I am writing in response to your request concerning an actuarial note for the above referenced bill. House Bill Number 89, Printer's Number 79, would amend Section 3351 of Title 42 (Judiciary and Judicial Procedure) to increase the mandatory retirement age for justices, judges and justices of the peace from age 70 to age 75.

On April 23, 1968, the electorate adopted Proposal No. 7 of the limited constitutional convention of 1967-68 to repeal the old and adopt a new Judiciary Article for the Constitution of Pennsylvania, Article 5. Since then section 16(b) of Article 5 has provided in pertinent part that: "Justices, judges and justices of the peace shall be retired on the last day of the calendar year in which they attain the age of 70 years."

Members of the judiciary are participants in the State Employees' Retirement System (SERS) in either Class E-1 (for Judges) or Class E-2 (for Magisterial District Judges). As of December 31, 2013, there were 984 members of the judiciary that were active participants in SERS.

Under the Public Employee Retirement Commission Act (Act 66 of 1981), the Commission has a mandated responsibility to review any legislative changes that affect public employee retirement systems. At my direction, the Commission staff has reviewed the provisions of House Bill Number 89, Printer's Number 79, and determined that the bill will have no actuarial cost impact upon the State Employees' Retirement System.

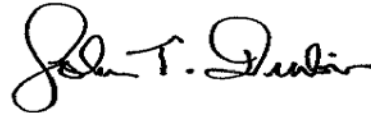
Based upon the determination that House Bill Number 89, Printer's Number 79, will have no actuarial cost impact, I am informing you, on behalf of the Commission, that the bill will not require an actuarial note prior to further consideration by the General Assembly.

The Honorable William F. Adolph, Jr.
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I trust this letter adequately responds to your request. If I may be of any further assistance, please feel free to contact me by telephoning (717) 783-6100.

Sincerely,



JOHN T. BARBUSH
Chairman

Enclosure

cc: The Honorable Mike Turzai
 The Honorable David Reed
 The Honorable Frank Dermody
 The Honorable Bryan Cutler
 The Honorable Michael K. Hanna
 The Honorable Sandra Major
 The Honorable Dan Frankel
 The Honorable Joseph Markosek
 The Honorable Bernie O'Neill
 The Honorable Jake Wheatley, Jr.
 The Honorable Michael Tobash
 The Honorable R. Ted Harhai

 The Honorable Daryl D. Metcalfe
 The Honorable Mark B. Cohen
 The Honorable Kate Harper
 Ms. Karen Coates
 Mr. Clancy Myer
 Mr. Anthony F. Barbush
 Ms. Debbie Reeves
 Mr. Bernard Gallagher
 Ms. Lisa Taglang
 Ms. Kim Hileman
 Ms. Susan Boyle

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 89 Session of
2015

INTRODUCED BY HARPER, JANUARY 21, 2015

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 21, 2015

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in discipline, removal
3 and retirement of judicial officers, further providing for
4 automatic retirement on age.

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

7 Section 1. Section 3351 of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 3351. Automatic retirement on age.

10 Judges and magisterial district judges shall be retired upon
11 attaining the age of [70] 75 years.

12 Section 2. The Secretary of the Commonwealth shall transmit
13 to the Legislative Reference Bureau, for publication in the
14 Pennsylvania Bulletin, notice of adoption of an amendment to
15 section 16(b) of Article V of the Constitution of Pennsylvania
16 which provides for mandatory retirement at 75 years of age.

17 Section 3. This act shall take effect as follows:

18 (1) Section 2 of this act and this section shall take
19 effect immediately.

1 (2) The amendment of 42 Pa.C.S. § 3351 shall take effect
2 upon publication in the Pennsylvania Bulletin of the notice
3 under section 2 of this act.