

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 498 Session of 2009

INTRODUCED BY STACK, HUGHES, FONTANA, BOSCOLA, O'PAKE,
TARTAGLIONE, ALLOWAY, LOGAN, WAUGH, RAFFERTY, ERICKSON,
COSTA, ORIE, WOZNIAC AND FERLO, MARCH 2, 2009

REFERRED TO LABOR AND INDUSTRY, MARCH 2, 2009

AN ACT

1 Amending the act of June 24, 1976 (P.L.424, No.101), entitled,
2 as amended, "An act providing for the payment of death
3 benefits to the surviving spouse or children or parents of
4 firefighters, ambulance service or rescue squad members, law
5 enforcement officers or National Guard members who die as a
6 result of the performance of their duties," further providing
7 for death benefit eligibility.

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

10 Section 1. Section 1(d) and (e) of the act of June 24, 1976
11 (P.L.424, No.101), referred to as the Emergency and Law
12 Enforcement Personnel Death Benefits Act, amended October 6,
13 2005 (P.L.319, No.59) and July 2, 2007 (P.L.68, No.21), are
14 amended to read:

15 Section 1. * * *

16 (d) Upon receipt of such certification, the Commonwealth
17 shall, from moneys payable out of the General Fund, pay to the
18 [political subdivision] surviving spouse or, if there is no
19 surviving spouse, to the minor children of the firefighter,
20 ambulance service, certified hazardous material response team

1 member, rescue squad member or law enforcement officer who died
2 as a result of the performance of his duty the sum of [\$100,000]
3 \$250,000, adjusted in accordance with subsection (f) of this
4 section. [If the deceased was a member of a team organized under
5 a Commonwealth agency, the death benefit shall be paid to the
6 Commonwealth agency instead of the political subdivision. Within
7 five days of receipt of said sum from the Commonwealth, the
8 political subdivision or Commonwealth agency shall pay such sum
9 as a benefit to the surviving spouse, or if there is no
10 surviving spouse, to the minor children of the firefighter,
11 ambulance service member, certified hazardous material response
12 team member, rescue squad member or law enforcement officer who
13 died as a result of the performance of his duty.] When no spouse
14 or minor children survive, the benefit shall be paid to the
15 parent or parents of such firefighter, ambulance service member,
16 certified hazardous material response team member, rescue squad
17 member or law enforcement officer.

18 (e) The Commonwealth of Pennsylvania shall pay out of the
19 General Fund to the surviving spouse or, if there is no
20 surviving spouse, the minor children of a National Guard member,
21 State police officer or other law enforcement officer of the
22 Commonwealth who died as a result of the performance of his
23 duties the sum of [\$100,000] \$250,000, adjusted in accordance
24 with subsection (f) of this section. When no spouse or minor
25 children survive, the benefit shall be paid to the parent or
26 parents of such National Guard member, State police officer or
27 other law enforcement officer of the Commonwealth. The benefit
28 shall be payable whether or not the National Guard member or
29 officer died as a result of the performance of his duty within
30 the Commonwealth of Pennsylvania.

1 * * *

2 Section 2. This act shall take effect in 60 days.