

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1117 Session of
1979

INTRODUCED BY SPITZ, MAY 1, 1979

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 1, 1979

AN ACT

1 Amending the act of June 24, 1976 (P.L.424, No.101), entitled
2 "An act providing for the payment of death benefits to the
3 surviving spouse or children of firemen or law enforcement
4 officers killed in the performance of their duties,"
5 including volunteer firemen within the act.

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

8 Section 1. Sections 1 and 2, act of June 24, 1976 (P.L.424,
9 No.101), entitled "An act providing for the payment of death
10 benefits to the surviving spouse or children of firemen or law
11 enforcement officers killed in the performance of their duties,"
12 are amended to read:

13 Section 1. (a) A political subdivision shall pay to the
14 surviving spouse, or, if there is no surviving spouse, the minor
15 children, of a fireman, volunteer fireman or law enforcement
16 officer of the political subdivision killed in the performance
17 of his duties the sum of \$25,000. The benefit shall be payable
18 whether or not the officer was killed within the corporate
19 boundaries of the employing municipality.

20 (b) The Commonwealth of Pennsylvania shall pay to the

1 surviving spouse, or, if there is no surviving spouse, the minor
2 children of a State policeman or other law enforcement officer
3 of the Commonwealth killed in the performance of his duties the
4 sum of \$25,000. The benefit shall be payable whether or not the
5 officer was killed within the Commonwealth of Pennsylvania.

6 (c) The political subdivision, or the surviving spouse, or a
7 guardian in fact or under the law for minor children may apply
8 to the State Treasurer of the Commonwealth for the death
9 benefit. No benefits or reimbursements shall be paid by the
10 State Treasurer until the Attorney General makes a
11 determination, that the beneficiary is eligible for the death
12 benefit.

13 Upon payment of this death benefit by a political
14 subdivision, the political subdivision shall apply to the State
15 Treasurer and upon a determination of the eligibility of the
16 beneficiary for the death benefit, be reimbursed for the total
17 amount by the Commonwealth of Pennsylvania. Payments by the
18 Commonwealth or reimbursement to the political subdivisions
19 shall be made out of the General Fund of the Commonwealth of
20 Pennsylvania.

21 Section 2. "Fireman or law enforcement officer" means a
22 fireman, volunteer fireman, peace officer as defined in 18
23 Pa.C.S. § 501 (relating to definitions), public servant concerned
24 in official detention as defined in 18 Pa.C.S. § 5121 (relating
25 to escape), an officer or employee of a State correctional
26 institution, guards or employees of county jails and prisons or
27 other law enforcement officer of the Commonwealth of
28 Pennsylvania or of any political subdivision thereof.

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