
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 420

Session of
1979

INTRODUCED BY FREIND, CESSAR, WILT, BROWN, J. L. WRIGHT, JR.,
FISCHER, ZITTERMAN, DiCARLO, LETTERMAN, MANMILLER, BURNS,
CIMINI, WEIDNER, ARTY, MICOZZIE, GANNON, REED, L. E. SMITH,
ZORD, MRKONIC, KERNICK, GAMBLE, D. R. WRIGHT, FISHER, GEESEY,
SPITZ, LASHINGER, ZELLER, PUNT, YAHNER, KNEPPER, CHESSE,
BOWSER, GRABOWSKI, TRELLO, GOODMAN, E. R. LYNCH, MUSTO,
COCHRAN, VROON, PETRARCA, WENGER, SCHMITT, SPENCER, SERAFINI,
SCHWEDER, COLE, D. S. HAYES, ZWIKL, KLINGAMAN AND
B. D. CLARK, MARCH 2, 1979

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 5, 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 extending the act to include volunteer firemen and changing
6 the method of payment.

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

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

14 Section 1. [A political subdivision shall pay to the
15 surviving spouse, or, if there is no surviving spouse, the minor
16 children, of a fireman or law enforcement officer of the

1 political subdivision killed in the performance of his duties
2 the sum of \$25,000. The benefit shall be payable whether or not
3 the officer was killed within the corporate boundaries of the
4 employing municipality.]

5 In the event a law enforcement officer or fireman is killed
6 in the performance of his duties, such political subdivision
7 within 30 days from the date of death shall submit certification
8 of such death to the Commonwealth. Upon receipt of such
9 certification, the Commonwealth shall, from moneys payable out
10 of the Governor's Emergency Fund, pay to the political
11 subdivision the sum of \$25,000. Within five days of receipt of
12 said sum from the Commonwealth, the political subdivision shall
13 pay such sum as a benefit to the surviving spouse, or if there
14 is no surviving spouse, to the minor children of the fireman or
15 law enforcement officer killed in the performance of duty.

16 The Commonwealth of Pennsylvania shall pay out of the
17 emergency fund of the Governor to the surviving spouse, or, if
18 there is no surviving spouse, the minor children of a State
19 policeman or other law enforcement officer of the Commonwealth
20 killed in the performance of his duties the sum of \$25,000. The
21 benefit shall be payable whether or not the officer was killed
22 within the Commonwealth of Pennsylvania.

23 [Upon payment of this death benefit by a political
24 subdivision, the political subdivision shall apply to the State
25 Treasurer and be reimbursed for the total amount by the
26 Commonwealth of Pennsylvania. Payments by the Commonwealth or
27 reimbursement to the political subdivisions shall be made out of
28 the General Fund of the Commonwealth of Pennsylvania.]

29 Section 2. "Fireman or law enforcement officer" means a
30 fireman, member of a volunteer fire company, peace officer as

1 defined in 18 Pa.C.S. § 501 (relating to definitions), public
2 servant concerned in official detention as defined in 18 Pa.C.S.
3 § 5121 (relating to escape), an officer or employee of a State
4 correctional institution, guards or employees of county jails
5 and prisons or other law enforcement officer of the Commonwealth
6 of Pennsylvania or of any political subdivision thereof.

7 Section 2. This act shall take effect immediately.