

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 728 Session of
2005

INTRODUCED BY SOLOBAY, ALLEN, BEBKO-JONES, BELARDI, BELFANTI,
BOYD, BROWNE, BUNT, CALTAGIRONE, CAPPELLI, CASORIO, CAUSER,
CAWLEY, CREIGHTON, CURRY, DALEY, DeWEESE, FABRIZIO, FLEAGLE,
FLICK, FORCIER, FRANKEL, GEORGE, GOOD, GOODMAN, GRUCELA,
HARHAI, HARHART, HARRIS, HERMAN, HESS, JAMES, KILLION, KOTIK,
LaGROTTA, LEACH, LEVDANSKY, MANN, MARKOSEK, McCALL,
McILHATTAN, MICOZZIE, NAILOR, PALLONE, PETRARCA, PETRONE,
PHILLIPS, PICKETT, PISTELLA, RAYMOND, READSHAW, REED,
REICHLEY, ROSS, SAINATO, SAYLOR, SCAVELLO, STABACK, SURRA,
TANGRETTI, E. Z. TAYLOR, THOMAS, WALKO, WANSACZ, WILT,
WOJNAROSKI, YEWIC, YOUNGBLOOD AND YUDICHAK, MARCH 1, 2005

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MARCH 1, 2005

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 killed in the
6 performance of their duties," further providing for the
7 amount and funding of death benefit payable.

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

10 Section 1. Section 1(d), (e) and (f) of the act of June 24,
11 1976 (P.L.424, No.101), referred to as the Emergency and Law
12 Enforcement Personnel Death Benefits Act, amended April 2, 2002
13 (P.L.213, No.20), are amended to read:

14 Section 1. * * *

15 (d) Upon receipt of such certification, the Commonwealth

1 shall, from moneys payable out of the General Fund, pay to the
2 political subdivision the sum of [\$50,000] \$100,000, adjusted in
3 accordance with subsection (f) of this section. Within five days
4 of receipt of said sum from the Commonwealth, the political
5 subdivision shall pay such sum as a benefit to the surviving
6 spouse, or if there is no surviving spouse, to the minor
7 children of the firefighter, ambulance service or rescue squad
8 member or law enforcement officer killed in the performance of
9 duty. When no spouse or minor children survive, the benefit
10 shall be paid to the parent or parents of such firefighter,
11 ambulance service or rescue squad member or law enforcement
12 officer.

13 (e) The Commonwealth of Pennsylvania shall pay out of the
14 General Fund to the surviving spouse or, if there is no
15 surviving spouse, the minor children of a National Guard member,
16 State police officer or other law enforcement officer of the
17 Commonwealth killed in the performance of his duties the sum of
18 [\$50,000] \$100,000, adjusted in accordance with subsection (f)
19 of this section. When no spouse or minor children survive, the
20 benefit shall be paid to the parent or parents of such National
21 Guard member, State police officer or other law enforcement
22 officer of the Commonwealth. The benefit shall be payable
23 whether or not the National Guard member or officer was killed
24 within the Commonwealth of Pennsylvania.

25 (f) On July 1 of each fiscal year beginning after January 1,
26 [1995] 2006, the Commonwealth shall adjust the level of the
27 benefit payable immediately before July 1 under subsections (d)
28 and (e) of this section to reflect the annual percentage change
29 in the Consumer Price Index for All Urban Consumers, published
30 by the United States Department of Commerce, Bureau of Labor

1 Statistics, occurring in the one-year period ending on January 1
2 immediately preceding July 1.

3 * * *

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