
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1365 Session of
2021

INTRODUCED BY WEBSTER, McNEILL, SANCHEZ, DELLOSO, CIRESI,
SCHLOSSBERG, HOHENSTEIN, ROZZI, DRISCOLL, MALAGARI, HOWARD
AND MERSKI, MAY 10, 2021

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MAY 10, 2021

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 or parents of firefighters,
4 ambulance service or rescue squad members, law enforcement
5 officers or National Guard members who die as a result of the
6 performance of their duties," further providing for death
7 benefit amount.

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, are amended to read:

13 Section 1. * * *

14 (d) Upon receipt of such certification, the Commonwealth
15 shall, from moneys payable out of the General Fund, pay to the
16 surviving spouse or, if there is no surviving spouse, to the
17 minor children of the paid firefighter, ambulance service or
18 rescue squad member or law enforcement officer who died as a
19 result of the performance of his duty the sum of [\$100,000]

1 \$300,000, adjusted in accordance with subsection (f) of this
2 section and an amount equal to the monthly salary, adjusted in
3 accordance with subsection (f) of this section, of the deceased
4 paid firefighter, ambulance service or rescue squad member or
5 law enforcement officer, less any workers' compensation or
6 pension or retirement benefits paid to such survivors, and shall
7 continue such monthly payments until there is no eligible
8 beneficiary to receive them. For the purpose of this subsection,
9 the term "eligible beneficiary" means the surviving spouse or
10 the child or children under the age of eighteen years or, if
11 attending college, under the age of twenty-three years, of the
12 firefighter, ambulance service or rescue squad member or law
13 enforcement officer who died as a result of the performance of
14 his duty. When no spouse or minor children survive, a single sum
15 of [~~\$100,000~~] \$300,000, adjusted in accordance with subsection
16 (f) of this section, shall be paid to the parent or parents of
17 such firefighter, ambulance service member, rescue squad member
18 or law enforcement officer.

19 (e) The Commonwealth of Pennsylvania shall pay out of the
20 General Fund to the surviving spouse or, if there is no
21 surviving spouse, the minor children of a National Guard member,
22 certified hazardous material response team member, member of the
23 Pennsylvania Civil Air Patrol, volunteer firefighter, ambulance
24 service or rescue squad member who died as a result of the
25 performance of his duties the sum of [~~\$100,000~~] \$300,000,
26 adjusted in accordance with subsection (f) of this section. When
27 no spouse or minor children survive, the benefit shall be paid
28 to the parent or parents of such National Guard member,
29 certified hazardous material response team member, member of the
30 Pennsylvania Civil Air Patrol, volunteer firefighter, ambulance

1 service or rescue squad member. The benefit shall be payable
2 whether or not the National Guard member or certified hazardous
3 material response team member, member of the Pennsylvania Civil
4 Air Patrol, volunteer firefighter, ambulance service or rescue
5 squad member died as a result of the performance of his duty
6 within the Commonwealth of Pennsylvania.

7 (f) On July 1, [2006] 2022, and each July 1 thereafter, the
8 Commonwealth shall adjust the level of the benefit payable
9 immediately before July 1 under subsections (d) and (e) of this
10 section to reflect the annual percentage change in the Consumer
11 Price Index for All Urban Consumers, published by the United
12 States Department of Commerce, Bureau of Labor Statistics,
13 occurring in the one-year period ending on January 1 immediately
14 preceding July 1.

15 * * *

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