
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1675 Session of
1983

INTRODUCED BY ARTY, DURHAM, JAROLIN, GREENWOOD, GANNON,
R. C. WRIGHT, MICOZZIE AND CIVERA, NOVEMBER 14, 1983

REFERRED TO COMMITTEE ON LABOR RELATIONS, NOVEMBER 14, 1983

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 or
5 law enforcement officers killed in the performance of their
6 duties," extending the provisions of the act to additional
7 persons.

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

10 Section 1. Section 1 of the act of June 24, 1976 (P.L.424,
11 No.101), referred to as the Emergency and Law Enforcement
12 Personnel Death Benefits Act, amended October 16, 1981 (P.L.295,
13 No.102), is amended to read:

14 Section 1. In the event a law enforcement officer, ambulance
15 service or rescue squad member or firefighter is killed [in the]
16 or dies as the direct and proximate result of stress and strain
17 or diseases which arise out of the general performance of his
18 duties, such political subdivision within 30 days from the date
19 of death shall submit certification of such death to the
20 Commonwealth. A volunteer firefighter shall be deemed to be

1 acting in the performance of his duties for the purposes of this
2 act going to or directly returning from a fire which the fire
3 company or fire department attended including travel from and
4 direct return to a firefighter's home, place of business or
5 other place where he or she shall have been when he or she
6 received the call or alarm or while participating in instruction
7 fire drills in which the fire department or fire company shall
8 have participated or while repairing or doing other work about
9 or on the fire apparatus or buildings and grounds of the fire
10 company or fire department upon the authorization of the chief
11 of the fire company or fire department or other person in charge
12 or while answering any emergency calls for any purpose or while
13 riding upon the fire apparatus which is owned or used by the
14 fire company or fire department or while performing any other
15 duties of such fire company or fire department as authorized by
16 the municipality or while performing duties imposed by section
17 15, act of April 27, 1927 (P.L.465, No.299), referred to as the
18 Fire and Panic Act. A volunteer ambulance service or rescue
19 squad member shall be deemed to be acting in the performance of
20 his duties for the purposes of this act going to or directly
21 returning from an emergency which the ambulance service or
22 rescue squad attended including travel from and direct return to
23 an ambulance service or rescue squad member's home, place of
24 business or other place where he or she shall have been when he
25 or she received the call or alarm or while participating in
26 drills in which the ambulance service or rescue squad shall have
27 participated or while repairing or doing other work about or on
28 any emergency vehicle or buildings and grounds of the ambulance
29 service or rescue squad upon the authorization of the chief of
30 the ambulance service or rescue squad or other person in charge

1 while answering any emergency calls for any purpose or while
2 riding upon any vehicles which are owned or used by the
3 ambulance service or rescue squad. Upon receipt of such
4 certification, the Commonwealth shall, from moneys payable out
5 of the General Fund, pay to the political subdivision the sum of
6 \$25,000. Within five days of receipt of said sum from the
7 Commonwealth, the political subdivision shall pay such sum as a
8 benefit to the surviving spouse, or if there is no surviving
9 spouse, to the minor children of the firefighter, ambulance
10 service or rescue squad member or law enforcement officer killed
11 in the performance of duty. When no spouse or minor children
12 survive, the benefit shall be paid to the parent or parents of
13 such firefighter, ambulance service or rescue squad member or
14 law enforcement officer.

15 The Commonwealth of Pennsylvania shall pay out of the General
16 Fund to the surviving spouse, or, if there is no surviving
17 spouse, the minor children of a State police officer or other
18 law enforcement officer of the Commonwealth killed [in the] or
19 dying as the direct and proximate result of stress and strain or
20 diseases which arise out of the general performance of his
21 duties the sum of \$25,000. When no spouse or minor children
22 survive, the benefit shall be paid to the parent or parents of
23 such State police officer or other law enforcement officer of
24 the Commonwealth. The benefit shall be payable whether or not
25 the officer was killed within the Commonwealth of Pennsylvania.

26 Section 2. This act shall be applicable to the deaths of all
27 firefighters, ambulance service or rescue squad members and law
28 enforcement personnel dying on and after January 1, 1976 as the
29 direct result of injuries sustained in the performance of their
30 duties, regardless of the date when such injuries occurred.

1 Section 3. (a) This act shall be retroactive to January 1,
2 1976.
3 (b) This act shall take effect immediately.