

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1332 Session of
1987

INTRODUCED BY BALDWIN, SHOWERS, JAROLIN, STEIGHNER, COLE,
LIVENGOOD, NAHILL, PERZEL, BROUJOS, KUKOVICH, BOYES, FOX,
BELFANTI, BELARDI, DeLUCA, LEVDANSKY, PHILLIPS, BUSH,
KOSINSKI, FLICK, LEH, ITKIN, STABACK, BURD, RAYMOND, MORRIS,
COY, VEON, RUDY, G. SNYDER, PRESTON, CLARK, COWELL,
DONATUCCI, OLASZ, J. L. WRIGHT, HALUSKA, SEMMEL, FISCHER,
HERMAN, DISTLER, BOWSER, SCHULER, JADLOWIEC, ANGSTADT,
CARLSON, DURHAM, VAN HORNE, BORTNER, GEIST, JOHNSON, ARTY,
TRELLO, REBER, FREEMAN, MICOZZIE, McVERRY, KENNEY,
DIETTERICK, E. Z. TAYLOR, LUCYK, COLAFELLA, LANGTRY,
SERAFINI, CLYMER, McHALE, MILLER, DAWIDA, BLAUM, CIVERA,
LASHINGER, PISTELLA, PETRARCA, KASUNIC, STEVENS, STAIRS,
YANDRISEVITS, PRESSMANN, PETRONE, STUBAN, MRKONIC, MERRY,
CAPPABIANCA, D. W. SNYDER, PUNT, MAYERNIK, JACKSON, BUNT,
HOWLETT, MAIALE AND CORNELL, MAY 11, 1987

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 11, 1987

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," increasing the death benefits; and permitting a
7 designee to receive benefits.

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

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

1 service or rescue squad shall have participated or while
2 repairing or doing other work about or on any emergency vehicle
3 or buildings and grounds of the ambulance service or rescue
4 squad upon the authorization of the chief of the ambulance
5 service or rescue squad or other person in charge while
6 answering any emergency calls for any purpose or while riding
7 upon any vehicles which are owned or used by the ambulance
8 service or rescue squad. Upon receipt of such certification, the
9 Commonwealth shall, from moneys payable out of the General Fund,
10 pay to the political subdivision the sum of [\$25,000] \$50,000.
11 Within five days of receipt of said sum from the Commonwealth,
12 the political subdivision shall pay such sum as a benefit to the
13 surviving spouse, or if there is no surviving spouse, to the
14 minor children of the firefighter, ambulance service or rescue
15 squad member or law enforcement officer killed in the
16 performance of duty. When no spouse or minor children survive,
17 the benefit shall be paid to the parent or parents or designee
18 of such firefighter, ambulance service or rescue squad member or
19 law enforcement officer.

20 The Commonwealth of Pennsylvania shall pay out of the General
21 Fund to the surviving spouse, or, if there is no surviving
22 spouse, the minor children of a State police officer or other
23 law enforcement officer of the Commonwealth killed in the
24 performance of his duties the sum of [\$25,000] \$50,000. When no
25 spouse or minor children survive, the benefit shall be paid to
26 the parent or parents or designee of such State police officer
27 or other law enforcement officer of the Commonwealth. The
28 benefit shall be payable whether or not the officer was killed
29 within the Commonwealth of Pennsylvania.

30 Section 2. This act shall take effect immediately.