

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1489 Session of
2001

INTRODUCED BY DALLY, KELLER, FLICK, HENNESSEY, WOJNAROSKI,
ALLEN, STABACK, DeLUCA, READSHAW, BELARDI, WATSON, NAILOR,
BENNINGHOFF, YOUNGBLOOD, ROHRER, CAPPELLI, BUXTON, GORDNER,
LaGROTTA, TIGUE, DALEY, CALTAGIRONE, RUBLEY, LAUGHLIN,
GEORGE, WILT, SATHER, CORRIGAN, HERMAN, ARGALL, CLARK,
CLYMER, BELFANTI, HARHART, ROONEY, EGOLF, BASTIAN, FORCIER,
B. SMITH, JAMES, MARSICO, PHILLIPS, BEBKO-JONES, BARD,
E. Z. TAYLOR, BARRAR, SOLOBAY, TRICH, FAIRCHILD, ROSS, ZUG,
M. BAKER, LEWIS, RUFFING, R. STEVENSON, S. MILLER, HARPER,
McNAUGHTON, HARHAI, R. MILLER, CREIGHTON, CRUZ, STERN, PIPPY,
McCALL, WATERS, SCHRODER, GRUCELA, LEH, SEMMEL, COSTA,
KIRKLAND, MELIO, SHANER AND BROWNE, MAY 2, 2001

REFERRED TO COMMITTEE ON JUDICIARY, MAY 2, 2001

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 volunteer firefighter civil immunity; and further defining
4 "local agency."

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Sections 8332.3 and 8501 of Title 42 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 8332.3. Volunteer firefighter civil immunity.

10 Volunteer firefighters shall be treated as public employees
11 and volunteer firefighter companies shall be treated as local
12 agencies as defined in section 8501 (relating to definitions).

13 This section shall not be construed to reduce or eliminate any
14 other immunity provided to volunteer firefighters by law.

1 § 8501. Definitions.

2 The following words and phrases when used in this chapter
3 shall have, unless the context clearly indicates otherwise, the
4 meanings given to them in this section:

5 * * *

6 "Local agency." A government unit other than the
7 Commonwealth government. The term includes, but is not limited
8 to, an intermediate unit; municipalities cooperating in the
9 exercise or performance of governmental functions, powers or
10 responsibilities under 53 Pa.C.S. Ch. 23 Subch. A (relating to
11 intergovernmental cooperation); [and] councils of government and
12 other entities created by two or more municipalities under 53
13 Pa.C.S. Ch. 23 Subch. A[.]; and a volunteer firefighter company,
14 regardless of whether the company has been or is created
15 pursuant to relevant law or officially accorded the status of
16 such a company by the political subdivision which it serves.

17 Section 2. This act shall apply to a cause of action that
18 accrues on or after the effective date of this act.

19 Section 3. This act shall take effect in 60 days.