
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1350 Session of
2007

INTRODUCED BY LENTZ, SOLOBAY, McCALL, BARRAR, BELFANTI, CONKLIN,
CREIGHTON, CURRY, DePASQUALE, EVERETT, GALLOWAY, GEORGE,
GERGELY, GIBBONS, GINGRICH, GOODMAN, GRUCELA, HARHAI,
HARHART, HORNAMAN, HUTCHINSON, JOSEPHS, W. KELLER, KENNEY,
KILLION, KORTZ, KOTIK, LEACH, McGEEHAN, R. MILLER, MUNDY,
MURT, MYERS, PETRONE, PYLE, RAMALEY, SAINATO, SCAVELLO,
K. SMITH, STABACK, R. STEVENSON, SURRA, R. TAYLOR, WALKO,
J. WHITE, WOJNAROSKI AND YOUNGBLOOD, MAY 24, 2007

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MAY 24, 2007

AN ACT

1 Providing for volunteer fire company reimbursements.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Volunteer
6 Fire Company Reimbursement Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Emergency communication center." An officially recognized
12 and approved Federal, State, county or municipal operation whose
13 purpose is to receive emergency calls, to determine the
14 appropriate agency, equipment and/or vehicles required to

1 respond to these calls and then to dispatch the appropriate
2 agency, equipment and/or emergency vehicle or vehicles to the
3 location of the emergency situation, incident or event.

4 "Emergency situation, incident or event." A disaster;
5 hazardous materials incident; fire; industrial or private
6 security or fire alarm systems incident; industrial accident;
7 auto accident; medical emergency; nonemergency call for medical
8 assistance; or any other situation, incident or event that does
9 or may present a potential danger and/or threat to the health
10 and safety of members of the public.

11 "Officially recognized dispatch." The dispatch of a
12 volunteer fire company by an officially recognized and approved
13 emergency communication center or response to a special call or
14 request from the Pennsylvania State Police or local police
15 whether it comes through an emergency communications center or
16 not. If a volunteer fire company responds to a special call or
17 request from the Pennsylvania State Police or local police that
18 has not come through an officially recognized and approved
19 emergency communication center prior to the special call or
20 request, upon notification by a volunteer fire company of a
21 request for dispatch, the emergency communication center shall
22 approve the response and assign a dispatch number to the
23 volunteer fire company and then contact the municipal emergency
24 services department, organization or person making the request
25 to confirm the request.

26 "Person." Includes a corporation, partnership, business
27 trust, other association, governmental entity other than the
28 Commonwealth, estate, trust, foundation or natural person.

29 "Volunteer fire company." A nonprofit chartered
30 organization, association or organization located in this

1 Commonwealth which provides fire protection services, including
2 fire police services and other volunteer emergency services
3 within this Commonwealth. Volunteer emergency services provided
4 by a volunteer fire company may include volunteer ambulance and
5 volunteer rescue service.

6 Section 3. Requirement to pay for response to emergencies.

7 A person involved in an emergency situation, incident or
8 event that necessitates a response from a volunteer fire company
9 shall be liable for the actual and reasonable response costs
10 incurred by the volunteer fire company if that person received
11 the benefit of any services from the volunteer fire company,
12 unless the person:

13 (1) has paid to the municipality wherein the volunteer
14 fire company is located, a tax which funds at least in part
15 volunteer fire company services; or

16 (2) has made a monetary contribution to an annual fund
17 drive of a volunteer fire company recognized by the
18 resident's municipality within the preceding 12 months from
19 the date of the emergency situation, incident or event that
20 necessitates a response from a volunteer fire company.

21 Section 4. Establishment of reimbursement procedures.

22 (a) Billing.--Volunteer fire companies may bill for real and
23 reasonable reimbursement for costs related to responding to
24 calls dispatched by an officially recognized and approved
25 emergency communication center.

26 (b) Reimbursement.--When a person receives a bill for
27 reimbursement from a volunteer fire company, the person shall be
28 responsible for payment. If the person is forwarding the bill
29 for reimbursement to an insurance company, the person must
30 notify the volunteer fire company from which the bill for

1 reimbursement was received. Forwarding the bill for
2 reimbursement to an insurance company does not relieve the
3 person from financial responsibility for payment.

4 (c) Legal process.--If negotiations to recover response
5 costs do not resolve the dispute to the satisfaction of the
6 parties involved, the volunteer fire company may recover its
7 response costs in an action at law or in equity brought before a
8 court of competent jurisdiction. Should more than one volunteer
9 fire company incur response costs for the same emergency
10 situation, incident or event, the volunteer fire company
11 involved may file a joint action at law or in equity and may
12 designate one such organization to represent the others in the
13 action.

14 Section 5. Rules and regulations.

15 The Office of State Fire Commissioner, in consultation with
16 the Fire Safety Advisory Committee established under the act of
17 November 13, 1995 (P.L.604, No.61), known as the State Fire
18 Commissioner Act, shall promulgate rules and regulations
19 pertaining to reimbursing volunteer fire companies under this
20 act. Each municipality wherein a volunteer fire department is
21 located shall provide to the State Fire Commissioner on an
22 annual basis a list of all taxes the municipality levies which
23 fund, at least in part, volunteer fire services.

24 Section 6. Penalties.

25 A volunteer fire company filing a false request for
26 reimbursement commits a summary offense and, upon conviction,
27 shall be sentenced to pay a fine of not more than \$100 for each
28 false request.

29 Section 7. Effective date.

30 This act shall take effect in 180 days.