

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1197 Session of
2011

INTRODUCED BY STACK, FONTANA, WASHINGTON, COSTA, TARTAGLIONE,
HUGHES AND WILLIAMS, AUGUST 2, 2011

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, AUGUST
2, 2011

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, law
5 enforcement officers or National Guard members who die as a
6 result of the performance of their duties," amending the
7 title of the act; further providing for authority for
8 payment; adding a definition of "natural gas responder"; and
9 further providing for construction of act.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. The title of the act of June 24, 1976 (P.L.424,
13 No.101), referred to as the Emergency and Law Enforcement
14 Personnel Death Benefits Act, amended October 6, 2005 (P.L.319,
15 No.59), is amended to read:

AN ACT

17 Providing for the payment of death benefits to the surviving
18 spouse or children or parents of firefighters, ambulance
19 service or rescue squad members, law enforcement officers
20 [or], National Guard members or natural gas responders who
21 die as a result of the performance of their duties.

Section 2. Section 1(a) and (e) of the act, amended October 9, 2009 (P.L.588, No.51), are amended and the section is amended by adding a subsection to read:

Section 1. (a) In the event a law enforcement officer, ambulance service or rescue squad member, firefighter, certified hazardous material response team member [or], National Guard member or natural gas responder dies as a result of the performance of his duties, such political subdivision, Commonwealth agency or, in the case of National Guard members, the Adjutant General, or, in the case of a member of a Commonwealth law enforcement agency, the authorized survivor [or], the agency head or, in the case of a natural gas responder, the employer or authorized survivor, within 90 days from the date of death, shall submit certification of such death to the Commonwealth.

* * *

(e) The Commonwealth of Pennsylvania shall pay out of the General Fund to the surviving spouse or, if there is no surviving spouse, the minor children of a National Guard member, natural gas responder, certified hazardous material response team member, volunteer firefighter, ambulance service or rescue squad member who died as a result of the performance of his duties the sum of \$100,000, adjusted in accordance with subsection (f) of this section. When no spouse or minor children survive, the benefit shall be paid to the parent or parents of such National Guard member, natural gas responder, certified hazardous material response team member, volunteer firefighter, ambulance service or rescue squad member. The benefit shall be payable whether or not the National Guard member, natural gas responder or certified hazardous material response team member,

1 volunteer firefighter, ambulance service or rescue squad member
2 died as a result of the performance of his duty within the
3 Commonwealth of Pennsylvania.

4 * * *

5 (h) A natural gas responder shall be deemed to be acting in
6 the performance of his duties for the purposes of this act when:

7 (1) the natural gas responder was requested by his
8 employer to respond to a natural gas release or safety event;
9 and

10 (2) the natural gas responder dies as a direct result of
11 an injury caused by the natural gas release or safety event.

12 Section 3. Section 2 of the act is amended by adding a
13 definition to read:

14 Section 2. The following words and phrases when used in this
15 act shall have the meanings given to them in this section unless
16 the context clearly indicates otherwise:

17 * * *

18 "Natural gas responder" means an employee of a city natural
19 gas distribution operation as defined in 66 Pa.C.S. § 102
20 (relating to definitions) who responds to actual or potential
21 natural gas releases or safety events that pose threats to lives
22 or property.

23 * * *

24 Section 4. Section 2.1 of the act, amended April 2, 2002
25 (P.L.213, No.20), is amended to read:

26 Section 2.1. This act shall be broadly construed to grant
27 benefits to firefighters, ambulance service or rescue squad
28 members, law enforcement officers [or], National Guard personnel
29 or natural gas responders for deaths related to the performance
30 of their duties.

1 Section 5. A death certificate of an eligible natural gas
2 responder who died as a result of the performance of his duties
3 on or after December 31, 2010, but prior to the effective date
4 of this section, shall be deemed timely filed in accordance with
5 section 1(a) of the act if it is submitted with 90 days of the
6 effective date of this section.

7 Section 6. This act shall take effect immediately.