
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1870 Session of
2017

INTRODUCED BY BOYLE, DEAN, MURT, THOMAS, KINSEY, ROZZI,
SCHWEYER, WATSON, McNEILL, DONATUCCI, DRISCOLL AND VAZQUEZ,
OCTOBER 17, 2017

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, OCTOBER 17, 2017

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, is amended to read:

15 AN ACT

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

1 Section 2. Section 1(a) and (e) of the act, amended October
2 26, 2016 (P.L.886, No.110), are amended and the section is
3 amended by adding a subsection to read:

4 Section 1. (a) In the event a law enforcement officer,
5 ambulance service or rescue squad member, firefighter, certified
6 hazardous material response team member, member of the
7 Pennsylvania Civil Air Patrol [or], National Guard member or
8 natural gas responder dies as a result of the performance of his
9 duties, an application, including a certification of death,
10 shall be made to the department within three years of the date
11 of such death by any of the following:

12 (1) A political subdivision.

13 (2) A Commonwealth agency.

14 (3) In the case of National Guard members, the Adjutant
15 General.

16 (4) In the case of a member of a Commonwealth law
17 enforcement agency, the agency head.

18 (5) In the case of a campus police officer, the university
19 or college president.

20 (6) Any survivor eligible for payment of benefits under this
21 act or individual authorized to act on the survivor's behalf.

22 (7) In the case of the Pennsylvania Civil Air Patrol, the
23 State Commander.

24 (8) In the case of a natural gas responder, the employer or
25 authorized survivor.

26 * * *

27 (e) The Commonwealth of Pennsylvania shall pay out of the
28 General Fund to the surviving spouse or, if there is no
29 surviving spouse, the minor children of a National Guard member,
30 natural gas responder, certified hazardous material response

1 team member, member of the Pennsylvania Civil Air Patrol,
2 volunteer firefighter, ambulance service or rescue squad member
3 who died as a result of the performance of his duties the sum of
4 \$100,000, adjusted in accordance with subsection (f) of this
5 section. When no spouse or minor children survive, the benefit
6 shall be paid to the parent or parents of such National Guard
7 member, natural gas responder, certified hazardous material
8 response team member, member of the Pennsylvania Civil Air
9 Patrol, volunteer firefighter, ambulance service or rescue squad
10 member. The benefit shall be payable whether or not the National
11 Guard member, natural gas responder or certified hazardous
12 material response team member, member of the Pennsylvania Civil
13 Air Patrol, volunteer firefighter, ambulance service or rescue
14 squad member died as a result of the performance of his duty
15 within the Commonwealth of Pennsylvania.

16 * * *

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

19 (1) The natural gas responder was requested by his
20 employer to respond to a natural gas release or safety event.

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

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

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

28 * * *

29 "Natural gas responder" means an employee of a city natural
30 gas distribution operation as defined in 66 Pa.C.S. § 102

1 (relating to definitions) who responds to actual or potential
2 natural gas releases or safety events that pose threats to lives
3 or property.

4 * * *

5 Section 4. Section 2.1 of the act is amended to read:

6 Section 2.1. This act shall be broadly construed to grant
7 benefits to firefighters, ambulance service or rescue squad
8 members, law enforcement officers [or], National Guard personnel
9 or natural gas responders for deaths related to the performance
10 of their duties.

11 Section 5. A death certificate of an eligible natural gas
12 responder who died as a result of the performance of his duties
13 on or after December 31, 2012, but prior to the effective date
14 of this section, shall be deemed timely filed in accordance with
15 section 1(a) of the act if it is submitted within 90 days of the
16 effective date of this section.

17 Section 6. This act shall take effect immediately.