

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 439

**PRINTER NO.** 427

**AMOUNT**

\$323,684

**FUND**

General Fund

**DATE INTRODUCED**

March 13, 2019

**PRIME SPONSOR**

Senator Regan

**DESCRIPTION**

Senate Bill 439 amends the Enforcement Officer Disability Benefits Law, known as the Heart & Lung Act, by extending benefits to the following law enforcement officers and investigators:

- Rangers, ranger supervisors, ranger operations specialists and ranger trainees employed by the Department of Conservation and Natural Resources;
- Commissioned police officers employed by the Department of Corrections, Bureau of Investigations and Intelligence;
- Members of the Fort Indiantown Gap Police;
- Investigative staff of the Office of Inspector General;
- Members of the Allegheny County Port Authority Police; and
- Members of the Allegheny County Housing Authority Police.

The bill also provides counties with the option to provide benefits to corrections officers and probation officers, and state-owned universities, state-related universities, community colleges and state-aided universities with the option to provide benefits to campus police. It specifies that an election to participate in the program by a county or university is irrevocable.

The bill requires payments on account of benefits to be made from appropriations made to the law enforcement officers' and investigators' employers or the participating county in the case of corrections officers and probation officers employed by a participating community.

The legislation is scheduled to take effect in 60 days.

Currently, the law provides enforcement officers and investigators covered by the Heart and Lung Act with temporary benefits including full salary, medical and hospital expenses if they are injured or contract certain diseases while performing official duties, until the disability has ceased. After four consecutive years of employment, enforcement officers and investigators are eligible for compensation for diseases of the heart and of the respiratory system. Any workmen's compensation received or collected by the employee eligible for Heart and Lung Act benefits is to be turned over by the employee to the employer. In addition, the law provides that no absence during an injury covered under the law shall reduce the usual sick leave benefits of enforcement officers or investigators.

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**FISCAL IMPACT:**

At present, when the enforcement officers and investigators subject to the legislation are injured while performing their duties, they are entitled to workmen’s compensation, which pays two-thirds of the employee’s average weekly wage. The legislation entitles them to receive the difference between the amount paid by workmen’s compensation and the employee’s salary.

Based on the most recent data available (2017) from the Office of Administration, costs for Heart and Lung Benefits for enforcement officers and investigations under the Commonwealth’s jurisdiction totaled \$15,750,240, or \$778, per eligible employee based on an estimated complement of 20,250 enforcement officers and investigators. Assuming a similar per employee cost experience and an estimate of 416 employees that would be extended benefits, the annual cost of Senate Bill 439 is estimated to be \$323,648.

Employers	Est. Cost
Allegheny County Housing Authority	\$ 7,002
Allegheny County Port Authority	\$ 38,900
Department of Conservation and Natural Resources	\$ 132,260
Department of Corrections	\$ 14,004
Department of Military and Veterans Affairs	\$ 14,782
Office of Inspector General	\$ 116,700
<b>Total</b>	<b>\$ 323,648</b>

Further, counties and colleges and universities that choose to provide Heart and Lung benefits would also incur costs. At present, the counties employ 3,325 corrections officers and 1,259 probation officers, and the colleges and universities employ 747 campus police. Using the same cost assumptions as above, if the counties were to provide benefits to these employees, it is estimated to cost \$3,566,352 annually. If the colleges and universities were to provide benefits to these employees, it is estimated to cost \$581,166 annually.

The employers will likely incur additional administrative expenses related to Heart and Lung Act appeals, which can be accomplished within their existing operating budgets.