

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 429

PRINTER NO. 381

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 1, 2023

PRIME SPONSOR

Senator Regan

DESCRIPTION

Senate Bill 429 amends the Enforcement Officer Disability Benefits Law, known as the Heart and Lung Act, by extending benefits to the following law enforcement officers and investigators:

- Rangers, ranger supervisors, ranger operations specialists, ranger trainees and state park officers 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;
- Enforcement officers of the Office of Inspector General; and
- Members of the Allegheny County Housing Authority Police.

In addition, the bill provides counties with the option to provide benefits to corrections officers and probation officers; housing and transit authorities with the option to provide benefits to housing and transit police 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, authority or university is irrevocable.

The bill requires payments on account of benefits to be made from appropriations made to the employers or by the participating employer and makes technical changes. The legislation is scheduled to take effect in 120 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. The law also 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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In addition, law enforcement officers who contract, or are diagnosed with or are quarantined due to the COVID-19 virus and are temporarily incapacitated from performing their duties are compensated in accordance with the Heart and Lung Act for a period of 60 days.

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 data provided by the Office of Administration, costs for Heart and Lung Benefits for enforcement officers and investigators under the Commonwealth's jurisdiction are estimated to total \$20,767,357 annually, or \$998 per eligible employee based on an estimated complement of 20,800 enforcement officers and investigators. Assuming a similar per employee cost experience and an estimate of 543 employees that would be extended benefits, the annual cost of Senate Bill 429 is estimated to be \$542,148.

Employers	Est. Cost
Allegheny County Housing Authority	\$ 9,984
Department of Conservation and Natural Resources	\$ 371,416
Department of Corrections	\$ 14,976
Department of Military and Veterans Affairs	\$ 16,973
Office of Inspector General	\$ 128,798
Total	\$ 542,148

Counties, transit and housing authorities and colleges and universities that choose to provide Heart and Lung benefits would also incur costs. At present, it is estimated that counties employ 11,101 corrections officers and probation officers, housing and transit authorities employ 261 police officers and colleges and universities employ 752 campus police. Using the same cost assumptions as above, if counties were to provide benefits to these employees, it is estimated to cost approximately \$11 million annually. If housing and transit authorities were to provide benefits to these employees, it is estimated to cost approximately \$260,000. If colleges and universities were to provide benefits to these employees, it is estimated to cost about \$750,000 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.