

HB 358

AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for awards to first responders.

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

Section 1. Title 35 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

CHAPTER 79C

EMERGENCY RESPONDER DECORATIONS, MEDALS AND AWARDS

Subchapter

- A. Preliminary Provisions (Reserved)
- B. Keystone First Responder Award

SUBCHAPTER A

PRELIMINARY PROVISIONS

(Reserved)

SUBCHAPTER B

KEYSTONE FIRST RESPONDER AWARD

Sec.

79C11. Definitions.

79C12. Keystone First Responder Award.

79C13. Recipients.

§ 79C11. Definitions.

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

"Award." The Keystone First Responder Award awarded under this subchapter.

"Emergency medical services provider." As defined in section 8103 (relating to definitions).

"First responder." Any of the following:

- (1) An emergency medical services provider, firefighter or member of a rescue company.
- (2) A peace officer.
- (3) A 911 dispatcher.
- (4) A coroner or medical examiner who responds in an official capacity to an emergency.
- (5) A corrections officer.
- (6) A Federal law enforcement officer.
- (7) A county or local emergency management coordinator.

"In the line of duty." The term includes the time spent at the scene of and travel to and from a bona fide emergency or, in the case of a 911 dispatcher, suffering a fatal heart attack or stroke while on duty or not later than 24 hours after participating in any job-required training or exercise or performing dispatching duties in response to a 911 emergency call is presumed to have died as a result of the performance of his duties for purposes of this act.

"Peace officer." As defined in 18 Pa.C.S. § 501 (relating to definitions).

§ 79C12. Keystone First Responder Award.

(a) Composition.--The award shall consist of a plaque and a medal.

(b) Presentation.--The Governor or the Governor's designee shall present an award to a first responder approved by the committee or surviving next of kin during a public ceremony held on, or as near as practicable to, September 27 of each year.

(c) Committee.--The award shall be administered by a committee in accordance with the following:

(1) The committee shall consist of:

(i) The State Fire Commissioner.

(ii) The Director of the Pennsylvania Emergency Management Agency.

(iii) The Director of the Bureau of Emergency Medical Services within the Department of Health.

(iv) The Secretary of General Services.

(v) The Commissioner of Pennsylvania State Police.

(vi) The Pennsylvania State Lodge of the Fraternal Order of Police.

(vii) The President of the Pennsylvania Chiefs of Police Association.

(viii) The Director of the Pennsylvania National Emergency Number Association.

(ix) The Director of the Pennsylvania State Coroners Association.

(x) The President of the Pennsylvania State Corrections Officers Association.

(2) The committee shall choose a chairperson from its members.

(3) The committee shall develop criteria for the award in accordance with this subchapter. The committee shall consider the receipt of any benefits from a Federal or State program as evidence of qualification to receive an award.

(d) Choice of recipients.--The committee shall provide a list of potential recipients, and the Governor shall choose the recipients of the award for each year.

§ 79C13. Recipients.

(a) Recipient.--An award may be awarded to any of the following:

(1) A first responder who suffers a career-ending injury in the line of duty.

(2) The surviving next of kin of a first responder who is killed or sustains a fatal injury in the line of duty.

(3) A Federal law enforcement officer who suffers a career-ending injury in the line of duty assisting a State or local law enforcement agency in this Commonwealth.

(4) The surviving next of kin of a Federal law enforcement officer who sustains a fatal injury while assisting a State or local law enforcement agency in this Commonwealth.

(b) Submission of information to committee.--The head or executive officer of an entity or agency that a first responder was a member or employee of may submit to the committee in writing the name and a description of an individual under the following categories:

(1) A first responder who was killed or suffered a career-ending injury in the line of duty.

(2) A Federal law enforcement officer who was killed or suffered a career-ending injury assisting a State or local law enforcement agency in this Commonwealth.

(c) Rules and guidelines.--

(1) The committee shall establish rules and guidelines for its operations, for the execution of this subchapter and for the submission of information and criteria for eligibility under subsection (b).

(2) The committee shall issue a rule for awards issued in 2024 that permits the consideration of first responders or Federal law enforcement officers under subsection (a) who were injured or killed in the line of duty on or subsequent to three years prior to the effective date of this section.

(d) Construction.--

(1) Nothing under this subchapter shall be construed to apply to:

(i) The act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act.

(ii) The act of June 28, 1935 (P.L.477, No.193), referred to as the Enforcement Officer Disability Benefits Law (Heart and Lung Act).

(iii) The act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act.

(iv) Any other determination of benefits.

(2) Receipt of any benefit from a statute listed in paragraph (1) may be used by the committee for the purposes of section 79C12(c)(3) (relating to Keystone First Responder Award).

(e) Purpose of award.--The award shall only be for recognition purposes.

(f) First awards.--Awards issued under this chapter shall be issued no sooner than January 1, 2024.

Section 2. This act shall take effect in 60 days.

APPROVED--The 8th day of May, A.D. 2024.

JOSH SHAPIRO