

EMERGENCY AND LAW ENFORCEMENT PERSONNEL DEATH BENEFITS ACT -
FURTHER PROVIDING FOR THE PAYMENT OF DEATH BENEFITS

Act of May. 13, 2015, P.L. 1, No. 1

Cl. 40

Session of 2015

No. 2015-001

HB 152

AN ACT

Amending the act of June 24, 1976 (P.L.424, No.101), entitled, as amended, "An act providing for the payment of death benefits to the surviving spouse or children or parents of firefighters, ambulance service or rescue squad members, law enforcement officers or National Guard members who die as a result of the performance of their duties," further providing for the payment of death benefits and for definitions.

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

Section 1. Section 1(a) of the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, amended October 9, 2009 (P.L.588, No.51), is amended 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 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, within 90 days from the date of death, shall submit certification of such death to the Commonwealth.] **an application, including a certification of death, shall be made to the department within four years of the date of such death by any of the following:**

(1) A political subdivision.

(2) A Commonwealth agency.

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

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

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

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

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Section 2. The definition of "firefighter, ambulance service or rescue squad member or law enforcement officer" in section 2 of the act, amended October 6, 2005 (P.L.319, No.59), is amended and the section is amended by adding a definition to read:

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

* * *

"Department" means the Department of General Services of the Commonwealth.

"Firefighter, ambulance service or rescue squad member or law enforcement officer" means a firefighter; a member of a volunteer fire company; a member of an ambulance service or rescue squad; a peace officer as defined in 18 Pa.C.S. § 501 (relating to definitions); a public servant concerned in official detention as defined in 18 Pa.C.S. § 5121 (relating to escape); an officer or employee of a State correctional institution; guards or employees of county jails and prisons; or any other law enforcement officer [of] **employed by** the Commonwealth [of Pennsylvania] or [of any] **a** political subdivision [thereof].

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Section 3. The amendment of section 1(a) of the act shall apply to an individual whose date of death occurs before, on or after the effective date of this section.

Section 4. This act shall take effect immediately.

APPROVED--The 13th day of May, A.D. 2015.

TOM WOLF