

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 944 Session of 2003

INTRODUCED BY CONTI, TOMLINSON, ERICKSON, RAFFERTY, WONDERLING,  
C. WILLIAMS, LOGAN, TARTAGLIONE, ORIE, KITCHEN, COSTA,  
BOSCOLA AND GREENLEAF, NOVEMBER 3, 2003

REFERRED TO FINANCE, NOVEMBER 3, 2003

AN ACT

1 Amending the act of June 11, 1968 (P.L.149, No.84), entitled, as  
2 amended, "An act relating to volunteer firefighters' relief  
3 associations, clarifying their purposes and objectives,  
4 establishing criteria and standards for the conduct of their  
5 affairs, providing for their formation, recognition,  
6 continuing operation, and for their dissolution in  
7 appropriate circumstances and the distribution of their  
8 funds," authorizing funds of volunteer firefighters' relief  
9 association in Second Class A counties to be spent on  
10 qualified retirement plans.

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

13 Section 1. Section 6(e) of the act of June 11, 1968  
14 (P.L.149, No.84), known as the Volunteer Firefighters' Relief  
15 Association Act, amended December 22, 1993 (P.L.547, No.78), is  
16 amended and the section is amended by adding a subsection to  
17 read:

18 Section 6. Funds.--\* \* \*

19 (e) [The] Except as provided in subsection (e.1), the funds  
20 of any volunteer firefighters' relief association may be spent:

21 (1) To pay for such normal and reasonable running expenses

1 as may be appropriate to the businesslike conduct of its affairs  
2 including legal fees and including but not by way of limitation  
3 the rental or purchase of offices, the payment of reasonable  
4 compensation of any needed employes, and the purchase of office  
5 equipment and supplies.

6 (2) To purchase contracts of insurance which shall at the  
7 least afford financial assistance to active members of the fire  
8 service represented by the association against losses due to  
9 injury suffered in the fire service and which may also provide  
10 in the order named, (i) for payments to the surviving spouse or  
11 other dependents of a member in the event of the member's death,  
12 (ii) for protection of active firefighters against disease,  
13 (iii) for the replacement or purchase of prosthetic devices such  
14 as visual aids, hearing aids, dentures, braces, crutches, and  
15 the like, where such devices have been lost or damaged while the  
16 owner was engaged in the fire service or where the need for such  
17 devices arises because of functional impairment attributable to  
18 participation in the fire service, (iv) for the repair or  
19 replacement if necessary of articles of clothing or pocket  
20 pagers damaged or lost in the course of participation in the  
21 fire service, and (v) for disability incurred after service for  
22 a minimum of twenty years as a volunteer firefighter.

23 (3) To maintain a beneficiary or death benefit fund and to  
24 pay a sum certain from that fund to the beneficiary of any  
25 participant in that fund upon his or her death. In the event a  
26 beneficiary is not designated or a designated one has  
27 predeceased the participant, the sum certain shall be paid to  
28 the estate of the participant.

29 (4) To pay in full or in part for damage or loss in any of  
30 the categories mentioned in clause (2) above in any specific

1 case in which (i) no policy of insurance is in force which  
2 covers the risk, or (ii) the amount payable under insurance  
3 policies in force is inadequate to cover the loss.

4 (5) To pay the costs of procuring and forwarding tokens of  
5 sympathy and goodwill. To a volunteer firefighter who may be ill  
6 or hospitalized as a result of participation in the fire service  
7 or who may die or who may be seriously ill for any reason.

8 (6) To make cash payments to families in distressed  
9 circumstances by reason of age, infirmities or other  
10 disabilities suffered by one of the family in the course of his  
11 or her participation in the fire service as a volunteer  
12 firefighter.

13 (7) To acquire and maintain membership in any Statewide  
14 association or corporation which extends advice and assistance  
15 to firefighters' relief associations in the conduct of their  
16 affairs and to pay reasonable expenses of travel and maintenance  
17 to a duly elected delegate for attendance at such meetings of  
18 such Statewide association or corporation.

19 (8) To contribute or to purchase contracts of insurance  
20 which will contribute towards the costs of rehabilitating and  
21 retraining volunteer firefighters who by reason of their  
22 participation in the fire service have suffered a major  
23 impairment of their ability to continue their vocation.

24 (9) To pay for medical and surgical bills arising from  
25 injuries sustained by volunteer firefighters while engaged in  
26 activities of the fire company to the extent that said bills are  
27 not covered by insurance provided by the relief association.

28 (10) To pay reasonable expenses actually and necessarily  
29 incurred for attending bona fide firefighters' training schools.

30 (11) To purchase safeguards for preserving life, health, and

safety of volunteer firefighters, so as to ensure their  
availability to participate in the volunteer fire service.

(12) To secure insurance against the legal liability of the  
volunteer firefighters for loss and expense from claims arising  
out of the performance of their official, authorized duties  
while going to, returning from or attending fires or while  
performing their duties as special fire police.

(13) To maintain comprehensive health, physical fitness and  
physical monitoring programs that provide for physical fitness  
activities, nutrition education and instruction and health and  
fitness evaluation and monitoring. The programs shall be  
approved by the nearest State-licensed health care facility  
which is authorized to provide the service.

(14) To purchase exercise and fitness equipment for use by  
volunteer firefighters. Expenditures for exercise and fitness  
equipment shall not, however, exceed \$2,000 in any two-year  
period.

(15) To purchase fire hose and nozzles.

(16) To purchase fire prevention materials for public  
distribution.

(e.1) In addition to the provisions of subsection (e), the  
funds of any volunteer firefighters' relief association in a  
Second Class A county may be spent to provide a qualified  
retirement plan as defined in section 4974(c) of the Internal  
Revenue Code of 1986 (P.L.99-514, 26 U.S.C. § 4974(c)).

Section 2. This act shall take effect immediately.