

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 292** Session of
2007

INTRODUCED BY DiGIROLAMO, BAKER, BELFANTI, CAPPELLI, CASORIO,
CLYMER, FABRIZIO, FREEMAN, GEORGE, GERGELY, GINGRICH,
GOODMAN, HALUSKA, HARHAI, HENNESSEY, M. KELLER, KILLION,
McCALL, McILHATTAN, MELIO, MUSTIO, NAILOR, O'NEILL, SAYLOR,
SCAVELLO, SIPTROTH, SOLOBAY, SONNEY, STERN, SURRA, J. TAYLOR,
WATSON, YOUNGBLOOD, COX, GEIST, HORNAMAN, JAMES, MURT,
CALTAGIRONE AND HARKINS, FEBRUARY 7, 2007

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 1, 2007

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled, as
2 reenacted and amended, "An act defining the liability of an
3 employer to pay damages for injuries received by an employe
4 in the course of employment; establishing an elective
5 schedule of compensation; providing procedure for the
6 determination of liability and compensation thereunder; and
7 prescribing penalties," further defining "employe."

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

10 Section 1. Section 601(a) of the act of June 2, 1915
11 (P.L.736, No.338), known as the Workers' Compensation Act,
12 reenacted and amended June 21, 1939 (P.L.520, No.281), is
13 amended by adding a clause to read:

14 Section 601. (a) In addition to those persons included
15 within the definition of the word "employe" as defined in
16 section 104, "employe" shall also include:

17 * * *

1 (11) Individuals who:
2 (i) have completed the Community Emergency Response Team
3 program as outlined by the Federal Emergency Management Agency;
4 (ii) are authorized in writing by a county or municipality
5 to assist first responders in disaster assistance;
6 (iii) are acting voluntarily in the capacity of assisting
7 first responders in an emergency or ~~major disaster as declared~~ <—
8 ~~by the President of the United States or the Governor of the~~
9 ~~Commonwealth; and DISASTER;~~ <—
10 (iv) are properly dispatched by the municipality OR COUNTY <—
11 to be acting in capacity of assisting first responders; <—
12 ~~Individuals who qualify under this clause are considered <—~~
13 ~~employees of the Commonwealth for purposes of this act.~~
14 (V) ARE INJURED WHILE ACTIVELY ENGAGED IN ASSISTING FIRST <—
15 RESPONDERS OR GOING TO OR FROM THE EMERGENCY OR DISASTER; AND
16 (VI) HAVE WRITTEN ACKNOWLEDGMENTS, IN ADVANCE OF INJURY,
17 FROM THE COUNTY OR MUNICIPALITY STATING THAT THE COUNTY OR
18 MUNICIPALITY OPTS TO COVER THE INDIVIDUALS UNDER THIS ACT AND
19 ASSUMES LIABILITY FOR THE INDIVIDUALS.

20 * * *

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