

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1758 Session of
2009

INTRODUCED BY MANN, GERBER, ADOLPH, BARBIN, BELFANTI, BEYER, BISHOP, BOYD, BOYLE, BRENNAN, BRIGGS, BURNS, BUXTON, CALTAGIRONE, CARROLL, CASORIO, CAUSER, COHEN, D. COSTA, P. COSTA, CREIGHTON, DALLY, DEASY, DONATUCCI, ELLIS, EVERETT, FAIRCHILD, FARRY, GALLOWAY, GEIST, GEORGE, GERGELY, GIBBONS, GILLESPIE, GINGRICH, GOODMAN, GRUCELA, HARHAI, HARKINS, HARRIS, HORNAMAN, JOSEPHS, KILLION, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, MATZIE, McCALL, McGEEHAN, MELIO, MENSCH, MICOZZIE, MURPHY, MURT, M. O'BRIEN, O'NEILL, PEIFER, PERZEL, PHILLIPS, PRESTON, PYLE, READSHAW, REED, REICHLEY, SABATINA, SANTARSIERO, SANTONI, SIPTROTH, SOLOBAY, STABACK, STERN, STURLA, J. TAYLOR, THOMAS, VULAKOVICH, YOUNGBLOOD AND YUDICHAK, JUNE 22, 2009

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, JUNE 22, 2009

AN ACT

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

8 The General Assembly of the Commonwealth of Pennsylvania

9 hereby enacts as follows:

10 Section 1. Section 1(d) and (e) of the act of June 24, 1976
11 (P.L.424, No.101), referred to as the Emergency and Law
12 Enforcement Personnel Death Benefits Act, amended October 6,
13 2005 (P.L.319, No.59) and July 2, 2007 (P.L.68, No.21), are
14 amended to read:

1 Section 1. * * *

2 (d) Upon receipt of such certification, the Commonwealth
3 shall, from moneys payable out of the General Fund, pay to the
4 [political subdivision] surviving spouse or, if there is no
5 surviving spouse, to the minor children of the firefighter,
6 ambulance service, certified hazardous material response team
7 member, rescue squad member or law enforcement officer who died
8 as a result of the performance of his duty the sum of [\$100,000]
9 \$250,000, adjusted in accordance with subsection (f) of this
10 section. [If the deceased was a member of a team organized under
11 a Commonwealth agency, the death benefit shall be paid to the
12 Commonwealth agency instead of the political subdivision. Within
13 five days of receipt of said sum from the Commonwealth, the
14 political subdivision or Commonwealth agency shall pay such sum
15 as a benefit to the surviving spouse, or if there is no
16 surviving spouse, to the minor children of the firefighter,
17 ambulance service member, certified hazardous material response
18 team member, rescue squad member or law enforcement officer who
19 died as a result of the performance of his duty.] When no spouse
20 or minor children survive, the benefit shall be paid to the
21 parent or parents of such firefighter, ambulance service member,
22 certified hazardous material response team member, rescue squad
23 member or law enforcement officer.

24 (e) The Commonwealth of Pennsylvania shall pay out of the
25 General Fund to the surviving spouse or, if there is no
26 surviving spouse, the minor children of a National Guard member,
27 State police officer or other law enforcement officer of the
28 Commonwealth who died as a result of the performance of his
29 duties the sum of [\$100,000] \$250,000, adjusted in accordance
30 with subsection (f) of this section. When no spouse or minor

1 children survive, the benefit shall be paid to the parent or
2 parents of such National Guard member, State police officer or
3 other law enforcement officer of the Commonwealth. The benefit
4 shall be payable whether or not the National Guard member or
5 officer died as a result of the performance of his duty within
6 the Commonwealth of Pennsylvania.

7 * * *

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