

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1663 Session of 2011

INTRODUCED BY MANN, FARRY, BARBIN, BARRAR, BISHOP, K. BOYLE, BRENNAN, BROWNLEE, BUXTON, CALTAGIRONE, CARROLL, COHEN, D. COSTA, DALEY, DAVIS, DAVIDSON, DEASY, DeLUCA, DiGIROLAMO, DONATUCCI, J. EVANS, EVERETT, FABRIZIO, FLECK, GEIST, GEORGE, GERBER, GIBBONS, GILLESPIE, GINGRICH, GOODMAN, HARHAI, HARHART, HARKINS, HEFFLEY, HORNAMAN, JOSEPHS, KORTZ, KOTIK, LONGIETTI, MAHONEY, MICOZZIE, MIRABITO, MULLERY, MUNDY, MURPHY, NEUMAN, M. O'BRIEN, O'NEILL, QUINN, RAVENSTAHL, READSHAW, REICHLEY, SABATINA, SAINATO, SANTONI, SONNEY, STURLA, TALLMAN, TAYLOR, THOMAS, WAGNER AND WHITE, JUNE 14, 2011

REFERRED TO COMMITTEE ON FINANCE, JUNE 14, 2011

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 9,
13 2009 (P.L.588, No.51), are amended to read:

14 Section 1. * * *

15 (d) Upon receipt of such certification, the Commonwealth
16 shall, from moneys payable out of the General Fund, pay to the

1 surviving spouse or, if there is no surviving spouse, to the
2 minor children of the [paid] firefighter, ambulance service,
3 certified hazardous material response team or rescue squad
4 member or law enforcement officer who died as a result of the
5 performance of his duty the sum of [\$100,000] \$250,000, adjusted
6 in accordance with subsection (f) of this section and an amount
7 equal to the monthly salary, adjusted in accordance with
8 subsection (f) of this section, of the deceased [paid]
9 firefighter, ambulance service, certified hazardous material
10 response team or rescue squad member or law enforcement officer,
11 less any workers' compensation or pension or retirement benefits
12 paid to such survivors, and shall continue such monthly payments
13 until there is no eligible beneficiary to receive them. For the
14 purpose of this subsection, the term "eligible beneficiary"
15 means the surviving spouse or the child or children under the
16 age of eighteen years or, if attending college, under the age of
17 twenty-three years, of the firefighter, ambulance service,
18 certified hazardous material response team or rescue squad
19 member or law enforcement officer who died as a result of the
20 performance of his duty. When no spouse or minor children
21 survive, a single sum of [\$100,000] \$250,000, adjusted in
22 accordance with subsection (f) of this section, shall be paid to
23 the parent or parents of such firefighter, ambulance service
24 member, rescue squad member or law enforcement officer.

25 (e) The Commonwealth of Pennsylvania shall pay out of the
26 General Fund to the surviving spouse or, if there is no
27 surviving spouse, the minor children of a National Guard member,
28 certified hazardous material response team member, volunteer
29 firefighter, ambulance service or rescue squad member who died
30 as a result of the performance of his duties the sum of

1 [\$100,000] \$250,000, adjusted in accordance with subsection (f)
2 of this section. When no spouse or minor children survive, the
3 benefit shall be paid to the parent or parents of such National
4 Guard member, certified hazardous material response team member,
5 volunteer firefighter, ambulance service or rescue squad member.
6 The benefit shall be payable whether or not the National Guard
7 member or certified hazardous material response team member,
8 volunteer firefighter, ambulance service or rescue squad member
9 died as a result of the performance of his duty within the
10 Commonwealth of Pennsylvania.

11 * * *

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