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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 253 Session of  
2013

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INTRODUCED BY B. BOYLE, MICOZZIE, HENNESSEY, FABRIZIO, W.  
KELLER, BROWNLEE, K. BOYLE, MCGEEHAN, SCHLOSSBERG, COHEN,  
HARKINS, READSHAW, SABATINA, V. BROWN, FARRY AND FRANKEL,  
JANUARY 23, 2013

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REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, JANUARY 23, 2013

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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," amending the  
7 title of the act; further providing for authority for  
8 payment; adding a definition of "natural gas responder"; and  
9 further providing for construction of act.

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

12 Section 1. The title of the act of June 24, 1976 (P.L.424,  
13 No.101), referred to as the Emergency and Law Enforcement  
14 Personnel Death Benefits Act, amended October 6, 2005 (P.L.319,  
15 No.59), is amended to read:

16 AN ACT

17 Providing for the payment of death benefits to the surviving  
18 spouse or children or parents of firefighters, ambulance  
19 service or rescue squad members, law enforcement officers  
20 [or], National Guard members or natural gas responders who

1 die as a result of the performance of their duties.

2 Section 2. Section 1(a) and (e) of the act, amended October  
3 9, 2009 (P.L.588, No.51), are amended and the section is amended  
4 by adding a subsection to read:

5 Section 1. (a) In the event a law enforcement officer,  
6 ambulance service or rescue squad member, firefighter, certified  
7 hazardous material response team member [or], National Guard  
8 member or natural gas responder dies as a result of the  
9 performance of his duties, such political subdivision,  
10 Commonwealth agency or, in the case of National Guard members,  
11 the Adjutant General, or, in the case of a member of a  
12 Commonwealth law enforcement agency, the authorized survivor  
13 [or], the agency head or, in the case of a natural gas  
14 responder, the employer or authorized survivor, within 90 days  
15 from the date of death, shall submit certification of such death  
16 to the Commonwealth.

17 \* \* \*

18 (e) The Commonwealth of Pennsylvania shall pay out of the  
19 General Fund to the surviving spouse or, if there is no  
20 surviving spouse, the minor children of a National Guard member,  
21 natural gas responder, certified hazardous material response  
22 team member, volunteer firefighter, ambulance service or rescue  
23 squad member who died as a result of the performance of his  
24 duties the sum of \$100,000, adjusted in accordance with  
25 subsection (f) of this section. When no spouse or minor children  
26 survive, the benefit shall be paid to the parent or parents of  
27 such National Guard member, natural gas responder, certified  
28 hazardous material response team member, volunteer firefighter,  
29 ambulance service or rescue squad member. The benefit shall be  
30 payable whether or not the National Guard member, natural gas

1 responder or certified hazardous material response team member,  
2 volunteer firefighter, ambulance service or rescue squad member  
3 died as a result of the performance of his duty within the  
4 Commonwealth of Pennsylvania.

5 \* \* \*

6 (h) A natural gas responder shall be deemed to be acting in  
7 the performance of his duties for the purposes of this act when:

8 (1) the natural gas responder was requested by his  
9 employer to respond to a natural gas release or safety event;  
10 and

11 (2) the natural gas responder dies as a direct result of  
12 an injury caused by the natural gas release or safety event.

13 Section 3. Section 2 of the act is amended by adding a  
14 definition to read:

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

18 \* \* \*

19 "Natural gas responder" means an employee of a city natural  
20 gas distribution operation as defined in 66 Pa.C.S. § 102  
21 (relating to definitions) who responds to actual or potential  
22 natural gas releases or safety events that pose threats to lives  
23 or property.

24 \* \* \*

25 Section 4. Section 2.1 of the act, amended April 2, 2002  
26 (P.L.213, No.20), is amended to read:

27 Section 2.1. This act shall be broadly construed to grant  
28 benefits to firefighters, ambulance service or rescue squad  
29 members, law enforcement officers [or], National Guard personnel  
30 or natural gas responders for deaths related to the performance

1 of their duties.

2 Section 5. A death certificate of an eligible natural gas  
3 responder who died as a result of the performance of his duties  
4 on or after December 31, 2012, but prior to the effective date  
5 of this section, shall be deemed timely filed in accordance with  
6 section 1(a) of the act if it is submitted with 90 days of the  
7 effective date of this section.

8 Section 6. This act shall take effect immediately.