

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 374 Session of 2013

INTRODUCED BY BAKER, YUDICHAK, MENSCH, STACK, VULAKOVICH,  
ROBBINS, KITCHEN, ALLOWAY, RAFFERTY, ERICKSON, ARGALL,  
SCHWANK, SOLOBAY, WARD, WASHINGTON, WHITE, VOGEL,  
TARTAGLIONE, HUGHES, COSTA, FARNESE, WAUGH, FERLO AND  
BRUBAKER, JANUARY 31, 2013

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,  
JANUARY 31, 2013

AN ACT

1 Amending the act of December 16, 1998 (P.L.980, No.129),  
2 entitled "An act providing for a waiver of tuition and other  
3 fees for children of certain deceased police officers,  
4 National Guard members, firefighters and correction employees  
5 at community colleges and State-owned and State-related  
6 institutions of higher education and for additional powers  
7 and duties of the Pennsylvania Higher Education Assistance  
8 Agency and the Department of General Services," further  
9 providing for Postsecondary Educational Gratuity Program.

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

12 Section 1. Section 3(a), (b)(3) and (d)(3) of the act of  
13 December 16, 1998 (P.L.980, No.129), known as the Police  
14 Officer, Firefighter, Correction Employee and National Guard  
15 Member Child Beneficiary Education Act, amended November 30,  
16 2004 (P.L.1663, No.210), are amended to read:

17 Section 3. Postsecondary Educational Gratuity Program.

18 (a) Establishment.--There is hereby established the  
19 Postsecondary Educational Gratuity Program for children of

1 police officers, firefighters, correction employees, sheriffs,  
2 deputy sheriffs [and National Guard members], and certain other  
3 individuals who are on Federal or State active military duty who  
4 are residents of this Commonwealth who are killed while acting  
5 in the performance of their duties, and National Guard members  
6 who are on Federal or State active military duty who are killed  
7 while acting in the performance of their duties, regardless of  
8 whether the members are residents of this Commonwealth at the  
9 time of their deaths.

10 (b) Eligibility.--

11 \* \* \*

12 (3) [A] Notwithstanding paragraph (4.2), a member of the  
13 National Guard shall be deemed to have been killed in the  
14 performance of his or her duties if his or her death results  
15 from performance of a duty required by his or her orders or  
16 commander while in an official duty status authorized under  
17 Federal or State law, regardless of whether he or she is a  
18 resident of this Commonwealth at the time of the member's  
19 death.

20 \* \* \*

21 (d) Administration.--

22 \* \* \*

23 (3) Written notification of the death of any member of  
24 the National Guard, regardless of whether he or she is a  
25 resident of this Commonwealth at the time of the member's  
26 death, or other individual who is on Federal or State active  
27 military duty who is a resident of this Commonwealth killed  
28 in the performance of his or her duties shall be submitted to  
29 PHEAA by the Adjutant General of the Department of Military  
30 and Veterans Affairs within 20 days of the death of the

1       National Guard member or other individual.

2               \* \* \*

3       Section 2.   The amendment of section 3(a), (b)(3) and (d)(3)  
4 of the act shall be retroactive to September 11, 2001.

5       Section 3.   This act shall take effect immediately.