
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 623 Session of
2017

INTRODUCED BY MURT, D. COSTA, DRISCOLL, MILLARD, D. MILLER AND
READSHAW, FEBRUARY 24, 2017

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 24, 2017

AN ACT

1 Amending the act of June 28, 1935 (P.L.477, No.193), entitled,
2 as amended, "An act providing for the payment of the salary,
3 medical and hospital expenses of certain employes of State
4 and local government who are injured or contract certain
5 diseases in the performance of their duty; and providing that
6 absence during such injury shall not reduce any usual sick
7 leave period," further providing for disability benefits.

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

10 Section 1. Section 1 of the act of June 28, 1935 (P.L.477,
11 No.193), referred to as the Enforcement Officer Disability
12 Benefits Law, amended October 26, 2016 (P.L.908, No.113) and
13 November 4, 2016 (P.L.1140, No.145), is amended to read:

14 Section 1. (a) Be it enacted, &c., That:

15 (1) any member of the State Police Force;

16 (2) any enforcement officer or investigator employed by the
17 Pennsylvania Liquor Control Board;

18 (3) the parole agents, enforcement officers and
19 investigators of the Pennsylvania Board of Probation and Parole;

20 (4) Capitol Police officers;

1 (4.1) campus police officers employed by a State-owned
2 university, community college or State-related college or
3 university;

4 (5) correction employes employed by the Department of
5 Corrections, whose principal duty is the care, custody and
6 control of inmates;

7 (6) psychiatric security aides employed by the Department of
8 Human Services and the Department of Corrections, whose
9 principal duty is the care, custody, and control of the
10 criminally insane;

11 (7) drug enforcement agents of the Office of Attorney
12 General whose principal duty is the enforcement of the drug laws
13 of the Commonwealth;

14 (8) special agents of the Office of Attorney General whose
15 principal duty is the enforcement of the criminal laws of the
16 Commonwealth;

17 (9) any member of the Delaware River Port Authority Police;

18 (10) any policeman, fireman or park guard of any county,
19 city, borough, town or township;

20 (10.1) firemen employed by the Commonwealth;

21 (11) any sheriff or deputy sheriff; or

22 (12) any enforcement officer or investigator of the
23 Pennsylvania Game Commission or the Pennsylvania Fish and Boat
24 Commission;

25 who is injured in the performance of his duties including, in
26 the case of firemen, duty as special fire police, and by reason
27 thereof is temporarily incapacitated from performing his duties,
28 shall be paid by the Commonwealth of Pennsylvania if an employe
29 identified under paragraph (1), (2), (3), (4), (4.1), (5), (6),
30 (7), (8) or (12) or by the Delaware River Port Authority if a

1 member of the Delaware River Port Authority Police or by the
2 county, city, township or municipality, by which he is employed,
3 his full rate of salary, as fixed by ordinance or resolution,
4 until the disability arising therefrom has ceased. All medical
5 and hospital bills, incurred in connection with any such injury,
6 shall be paid by the Commonwealth of Pennsylvania or by the
7 Delaware River Port Authority or by such county, township or
8 municipality. During the time salary for temporary incapacity
9 shall be paid by the Commonwealth of Pennsylvania or by the
10 Delaware River Port Authority or by the county, city, borough,
11 town or township, any workmen's compensation, received or
12 collected by any such employe for such period, shall be turned
13 over to the Commonwealth of Pennsylvania or to the Delaware
14 River Port Authority or to such county, city, borough, town or
15 township, and paid into the treasury thereof, and if such
16 payment shall not be so made by the employe the amount so due
17 the Commonwealth of Pennsylvania, the Delaware River Port
18 Authority or the county, city, borough, town or township shall
19 be deducted from any salary then or thereafter becoming due and
20 owing.

21 (b) In the case of:

22 (1) the State Police Force;

23 (2) enforcement officers and investigators employed by the
24 Pennsylvania Liquor Control Board;

25 (3) the parole agents, enforcement officers and
26 investigators of the Pennsylvania Board of Probation and Parole;

27 (4) Capitol Police officers;

28 (4.1) campus police officers employed by a State-owned
29 university, community college or State-related college or
30 university;

1 (5) correction employes employed by the Department of
2 Corrections, whose principal duty is the care, custody and
3 control of inmates;

4 (6) psychiatric security aides employed by the Department of
5 Human Services and the Department of Corrections whose principal
6 duty is the care, custody, and control of the criminally insane;

7 (7) drug enforcement agents of the Office of Attorney
8 General whose principal duty is the enforcement of the drug laws
9 of the Commonwealth;

10 (8) special agents of the Office of Attorney General whose
11 principal duty is the enforcement of the criminal laws of the
12 Commonwealth;

13 (9) members of the Delaware River Port Authority Police;

14 (10) salaried policemen and firemen;

15 (10.1) firemen employed by the Commonwealth;

16 (11) sheriffs and deputy sheriffs; and

17 (12) enforcement officers and investigators of the
18 Pennsylvania Game Commission and the Pennsylvania Fish and Boat
19 Commission;

20 who have served for four consecutive years or longer, diseases
21 of the heart and tuberculosis of the respiratory system,
22 contracted or incurred by any of them after four years of
23 continuous service as such, and caused by extreme overexertion
24 in times of stress or danger or by exposure to heat, smoke,
25 fumes or gases, arising directly out of the employment shall be
26 compensable in accordance with the terms hereof; and unless any
27 such disability shall be compensable under the compensation laws
28 as having been caused by accidental injury, such disability
29 shall be compensable as occupational disease disabilities are
30 presently compensable under the compensation laws of this

1 Commonwealth. It shall be presumed that tuberculosis of the
2 respiratory system contracted or incurred after four consecutive
3 years of service was contracted or incurred as a direct result
4 of employment.

5 (c) In the case of any person receiving benefits pursuant to
6 this act, the statutes of limitations set forth in sections
7 306.1, 315, 413, and 434 of the act of June 2, 1915 (P.L.736,
8 No.338), known as the "Workers' Compensation Act," shall not
9 begin to run until the expiration of the receipt of benefits
10 pursuant to this act.

11 (d) (1) All payments herein required to be made by the
12 Commonwealth of Pennsylvania on account of any member of the
13 State Police Force shall be made from moneys appropriated to the
14 Pennsylvania State Police.

15 (2) Any payments required to be made on account of any
16 enforcement officer or investigator employed by the Pennsylvania
17 Liquor Control Board shall be made from appropriations out of
18 the State Stores Fund.

19 (3) Any payments required to be made on account of any
20 parole agent, enforcement officer or investigator employed by
21 the Pennsylvania Board of Probation and Parole shall be made
22 from moneys appropriated to the Pennsylvania Board of Probation
23 and Parole.

24 (4) Any payments required to be made on account of Capitol
25 Police officers shall be made from moneys appropriated to the
26 Department of General Services.

27 (5) Any payments required to be made on account of any
28 correction employe shall be made from moneys appropriated to the
29 Department of Corrections.

30 (6) Any payments required to be made on account of any

1 psychiatric security aides shall be made from moneys
2 appropriated to the Department of Human Services or the
3 Department of Corrections where appropriate.

4 (6.1) Any payments required to be made on account of any
5 campus police officers employed by a State-owned university,
6 community college or State-related college or university shall
7 be made from moneys provided by the State-owned university,
8 community college or State-related college or university.

9 (7) Any payments required to be made on account of any drug
10 enforcement agent or special agents shall be made from moneys
11 appropriated to the Office of Attorney General and any payments
12 required to be made on account of any fireman employed by the
13 Commonwealth shall be made from moneys appropriated to the
14 employing agency.

15 (8) Any payments required to be made on account of any
16 enforcement officers or investigators of the Pennsylvania Game
17 Commission shall be made from moneys appropriated to the
18 Pennsylvania Game Commission or executively authorized from the
19 Game Fund under 34 Pa.C.S. Ch. 5 Subch. B (relating to Game
20 Fund).

21 (9) Any payments required to be made on account of any
22 enforcement officers or investigators of the Pennsylvania Fish
23 and Boat Commission shall be made from moneys appropriated to
24 the Pennsylvania Fish and Boat Commission or executively
25 authorized from the Fish Fund under 30 Pa.C.S. Ch. 5 Subch. B
26 (relating to the Fish Fund) or the Boat Fund under 30 Pa.C.S.
27 Ch. 5 Subch. C (relating to the Boat Fund).

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