
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1061 Session of
2017

INTRODUCED BY FARRY, BARRAR, D. COSTA, CORBIN, JAMES, KNOWLES,
R. BROWN, READSHAW, CAUSER, WATSON, KAUFFMAN, MURT, QUIGLEY,
PHILLIPS-HILL, SCHLOSSBERG, V. BROWN, KORTZ, WARNER,
GODSHALL, IRVIN, SAINATO, GABLER, SNYDER, ZIMMERMAN AND
CONKLIN, APRIL 3, 2017

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, APRIL 3, 2017

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in volunteer firefighters, further
3 providing for definitions, for statement of purpose, for
4 funds and for audits.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 7412 of Title 35 of the Pennsylvania
8 Consolidated Statutes is amended by adding definitions to read:
9 § 7412. Definitions.

10 The following words and phrases when used in this subchapter
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Commissioner." The Office of the State Fire Commissioner.

14 * * *

15 "Length of service award program." A system established to
16 provide tax-deferred income benefits to active volunteer members
17 of a fire service.

1 * * *

2 Section 2. Section 7413 introductory paragraph and (4) of
3 Title 35 are amended and the section is amended by adding a
4 paragraph to read:

5 § 7413. Statement of purpose.

6 The purpose of this subchapter is to encourage individuals to
7 take part in the fire service as volunteer firefighters by
8 establishing criteria and standards for orderly administration
9 and conduct of affairs of firefighters' relief associations to
10 ensure, as far as circumstances will reasonably permit, that
11 funds shall be available for the assistance to and protection of
12 volunteer firefighters and their heirs in order to provide:

13 * * *

14 (4) Safeguards for preserving life, health and safety of
15 volunteer firefighters to ensure their availability to
16 participate in the fire service, including necessary
17 training.

18 * * *

19 (6.1) Financial assistance to recruit and retain
20 volunteer firefighters.

21 * * *

22 Section 3. Section 7416(f)(11) of Title 35 is amended and
23 the subsection is amended by adding paragraphs to read:

24 § 7416. Funds.

25 * * *

26 (f) Use.--Funds of any volunteer firefighters' relief
27 association may be spent:

28 * * *

29 (11) To purchase safeguards for preserving life, health
30 and safety of volunteer firefighters to ensure their

1 availability to participate in the volunteer fire service,
2 including necessary training.

3 * * *

4 (18) To provide financial assistance for activities and
5 material needed to aid in the recruitment and retention of
6 volunteer firefighters.

7 (19) To establish and pay for length of service award
8 programs.

9 Section 4. Section 7418 of Title 35 is amended to read:

10 § 7418. Audits.

11 (a) General rule.--

12 (1) The Office of Auditor General shall have the power
13 and its duty shall be to audit the accounts and records of
14 every volunteer firefighters' relief association receiving
15 money under Chapter 7 of the act of December 18, 1984
16 (P.L.1005, No.205), known as the Municipal Pension Plan
17 Funding Standard and Recovery Act, as far as may be necessary
18 to satisfy the Auditor General that the money received was or
19 is being expended for no purpose other than that authorized
20 by this subchapter. Copies of all audits shall be furnished
21 to the Governor.

22 (2) The commissioner shall establish and publish
23 annually, in consultation with the Auditor General, eligible
24 uses of the money in accordance with this subchapter.

25 (3) Notwithstanding paragraph (1), the commissioner
26 shall maintain authority relating to the eligible uses of
27 money received.

28 (b) Findings.--If the Auditor General finds that [any] money
29 received by a volunteer firefighters' relief association has
30 been expended for a purpose other than one authorized by this

1 subchapter, the Auditor General shall immediately notify the
2 Governor and the commissioner and shall decline to approve
3 further requisitions calling for payment to the volunteer
4 firefighters' relief association until the improperly expended
5 amount has been reimbursed to the relief association fund.

6 Section 5. This act shall take effect in 60 days.