
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 908 Session of
2019

INTRODUCED BY REGAN, ARGALL, BLAKE, GORDNER, MARTIN, MENSCH,
PHILLIPS-HILL AND STEFANO, OCTOBER 18, 2019

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
OCTOBER 18, 2019

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 and providing for fire relief formula
5 study.

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

8 Section 1. The heading of Subchapter B of Chapter 74 of
9 Title 35 of the Pennsylvania Consolidated Statutes is amended to
10 read:

11 SUBCHAPTER B

12 FIRE RELIEF ASSOCIATION

13 Section 2. Section 7412 of Title 35 is amended by adding
14 definitions to read:

15 § 7412. Definitions.

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

19 "Commissioner." The State Fire Commissioner.

1 * * *

2 "Length of service award program." A program established to
3 provide tax-deferred income benefits to active volunteer members
4 of a fire service.

5 * * *

6 Section 3. Section 7413 introductory paragraph and (1) of
7 Title 35 are amended and the section is amended by adding a
8 paragraph to read:

9 § 7413. Statement of purpose.

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

17 (1) Financial assistance to volunteer firefighters who
18 may suffer physical or mental injury or misfortune by reason
19 of their participation in the fire service.

20 * * *

21 (8) Financial assistance to recruit and retain volunteer
22 firefighters.

23 Section 4. Section 7416(a) and (f) (13) and (14) of Title 35
24 are amended and subsection (f) is amended by adding paragraphs
25 to read:

26 § 7416. Funds.

27 (a) General rule.--A volunteer firefighters' relief
28 association may solicit and receive gifts and contributions from
29 any source, including municipal corporations, but shall not have
30 the right to receive any portion of the money distributed to

1 political subdivisions of this Commonwealth under Chapter 7 of
2 the act of December 18, 1984 (P.L.1005, No.205), known as the
3 Municipal Pension Plan Funding Standard and Recovery Act, unless
4 and until the governing body of at least one political
5 subdivision shall have certified to the [Auditor General]
6 commissioner that the association is a bona fide volunteer
7 firefighters' relief association, affiliated with a fire company
8 which affords protection against fire to all or a portion of the
9 political subdivision.

10 * * *

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

13 * * *

14 (13) To maintain comprehensive health, physical fitness
15 and physical monitoring programs that provide for physical
16 fitness activities, nutrition education and supplies and
17 instruction and health and fitness evaluation and monitoring,
18 provided that the programs have been approved by the nearest
19 State-licensed health care facility which is authorized to
20 provide that service.

21 (14) To purchase exercise and fitness equipment for use
22 by volunteer firefighters[, except that expenditures for
23 exercise and fitness equipment shall not exceed \$2,000 in any
24 two-year period].

25 * * *

26 (18) To provide financial assistance for activities and
27 materials needed to aid in the recruitment and retention of
28 volunteer firefighters.

29 (19) To establish and pay for length of service award
30 programs.

1 (20) To pay for facilities for storage of emergency
2 vehicles, equipment, training and meetings.

3 (21) To pay for vehicles used for emergency response.

4 (22) To purchase equipment used for emergency response.

5 (23) To defray the cost of obtaining or renewing a
6 commercial driver's licenses under 75 Pa.C.S. Ch. 16
7 (relating to commercial drivers) for volunteer firefighters
8 who are residents of this Commonwealth to operate fire or
9 emergency vehicles registered to fire departments or
10 municipalities.

11 Section 5. Section 7418(b) of Title 35 is amended to read:

12 § 7418. Audits.

13 * * *

14 (b) Findings.--If the Auditor General finds that any money
15 received by a volunteer firefighters' relief association has
16 been expended for a purpose other than one authorized by this
17 subchapter, the commissioner, upon receiving notice of the
18 findings from the Auditor General, shall [immediately notify the
19 Governor and shall] decline to approve [further requisitions
20 calling for] payment to the volunteer firefighters' relief
21 association until the improperly expended amount has been
22 reimbursed to the relief association fund.

23 Section 6. Title 35 is amended by adding a section to read:

24 § 7419.1. Fire relief formula study.

25 (a) Study.--The Fire Safety Advisory Committee shall have
26 the following duties:

27 (1) Review and make findings and recommendations
28 regarding the fire relief funding formula and fire relief
29 services in this Commonwealth.

30 (2) Hold public meetings regarding the fire relief

1 funding formula and fire relief services in different regions
2 of this Commonwealth.

3 (3) Consult with and utilize experts to assist the
4 committee in carrying out its duties under this section.

5 (4) Receive input from interested parties and take into
6 consideration the diverse nature of fire services in this
7 Commonwealth.

8 (5) Draft proposed legislation based on the committee's
9 findings and recommendations regarding the fire relief
10 funding formula and fire relief services.

11 (6) No later than November 30, 2020, issue a report on
12 the committee's findings and recommendations regarding the
13 fire relief funding formula and fire relief services to all
14 of the following:

15 (i) The Governor.

16 (ii) The commissioner.

17 (iii) The President pro tempore of the Senate.

18 (iv) The Majority Leader and Minority Leader of the
19 Senate.

20 (v) The Veterans Affairs and Emergency Preparedness
21 Committee of the Senate.

22 (vi) The Speaker of the House of Representatives.

23 (vii) The Majority Leader and Minority Leader of the
24 House of Representatives.

25 (viii) The Veterans Affairs and Emergency
26 Preparedness Committee of the House of Representatives.

27 (b) Construction.--Nothing in this section shall be
28 construed to authorize a fire relief funding formula to go into
29 effect without being approved by an act of the General Assembly.

30 Section 7. This act shall take effect in six months.