
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2132 Session of
2021

INTRODUCED BY STRUZZI, HILL-EVANS, SMITH, MILLARD, SNYDER,
OBERLANDER AND CIRESI, DECEMBER 7, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, DECEMBER 7, 2021

AN ACT

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

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Section 1(a), (b) and (d) of the act of June 28,
12 1935 (P.L.477, No.193), referred to as the Enforcement Officer
13 Disability Benefits Law, are 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;

21 (4.1) campus police officers employed by a participating

1 university;

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

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

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

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

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

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

18 (10.1) firemen employed by the Commonwealth;

19 (11) any sheriff or deputy sheriff; or

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

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

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

22 (b) In the case of:

23 (1) the State Police Force;

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

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

28 (4) Capitol Police officers;

29 (4.1) campus police officers employed by a participating
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 * * *

6 (d) (1) All payments herein required to be made by the
7 Commonwealth of Pennsylvania on account of any member of the
8 State Police Force shall be made from moneys appropriated to the
9 Pennsylvania State Police.

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

14 (3) Any payments required to be made on account of any
15 parole agent, enforcement officer or investigator employed by
16 the Pennsylvania Board of Probation and Parole shall be made
17 from moneys appropriated to the Pennsylvania Board of Probation
18 and Parole.

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

22 (4.1) Any payments required to be made on account of any
23 campus police officers employed by a participating university
24 shall be made from moneys appropriated to the participating
25 university.

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

29 (6) Any payments required to be made on account of any
30 psychiatric security aides shall be made from moneys

1 appropriated to the Department of Human Services or the
2 Department of Corrections where appropriate.

3 (7) Any payments required to be made on account of any drug
4 enforcement agent or special agents shall be made from moneys
5 appropriated to the Office of Attorney General and any payments
6 required to be made on account of any fireman employed by the
7 Commonwealth shall be made from moneys appropriated to the
8 employing agency.

9 (8) Any payments required to be made on account of any
10 enforcement officers or investigators of the Pennsylvania Game
11 Commission shall be made from moneys appropriated to the
12 Pennsylvania Game Commission or executively authorized from the
13 Game Fund under 34 Pa.C.S. Ch. 5 Subch. B (relating to Game
14 Fund).

15 (9) Any payments required to be made on account of any
16 enforcement officers or investigators of the Pennsylvania Fish
17 and Boat Commission shall be made from moneys appropriated to
18 the Pennsylvania Fish and Boat Commission or executively
19 authorized from the Fish Fund under 30 Pa.C.S. Ch. 5 Subch. B
20 (relating to the Fish Fund) or the Boat Fund under 30 Pa.C.S.
21 Ch. 5 Subch. C (relating to the Boat Fund).

22 Section 2. The act is amended by adding a section to read:

23 Section 1.1. For the purposes of this act, any institute of
24 higher education may elect to participate in this act by
25 submitting a notice to the Department of Labor and Industry. An
26 election to participate in this act shall be irrevocable after
27 participation commences.

28 Section 3. Section 2.1 of the act is amended to read:

29 Section 2.1. For the purposes of this act, the [term
30 "fireman" shall mean and include the following:] following words

1 and phrases shall have the meanings given to them in this
2 section unless the context clearly indicates otherwise:

3 "Fireman." Any of the following:

4 (1) Paid firemen not employed by the Commonwealth.

5 (2) Emergency medical services personnel employed within a
6 city fire department.

7 (3) Firemen of airport authorities, including fire
8 suppression instructors.

9 (4) Fire and safety marshals who are firemen employed by the
10 Commonwealth.

11 (5) Fire academy instructors employed at the State Fire
12 Academy.

13 (6) Assistant fire marshals employed by the Commonwealth.

14 (7) [Forest patrolmen and forest technicians] Forest fire
15 wardens or wildland firefighters employed by the Commonwealth.

16 "Institute of higher education." Any of the following:

17 (1) A State-owned university.

18 (2) A community college.

19 (3) A State-related college or university.

20 (4) A State-aided college or university.

21 "Participating university." An institute of higher education
22 that elects to participate in this act.

23 Section 4. This act shall take effect in 60 days.