

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 503** Session of
2021

INTRODUCED BY REGAN, ARGALL, BAKER, BARTOLOTTA, BROWNE, MARTIN,
MASTRIANO, MENSCH, SCAVELLO, STEFANO, TARTAGLIONE, YUDICHAK,
BROOKS, COMMITTA, BREWSTER, YAW, J. WARD, MUTH, PITTMAN AND
AUMENT, APRIL 8, 2021

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 26, 2022

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 and for
8 definitions.

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

11 Section 1. Sections 1 and 2.1 of the act of June 28, 1935
12 (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;

1 (3.1) probation officers employed by a participating county;

2 (4) Capitol Police officers;

3 (4.1) campus police officers employed by a participating
4 university;

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

8 (5.1) commissioned police officers employed by the
9 Department of Corrections, Bureau of Investigations and
10 Intelligence;

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

15 (7) drug enforcement agents of the Office of Attorney
16 General whose principal duty is the enforcement of the drug laws
17 of the Commonwealth;

18 (8) special agents of the Office of Attorney General whose
19 principal duty is the enforcement of the criminal laws of the
20 Commonwealth;

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

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

24 (10.1) firemen employed by the Commonwealth;

25 (11) any sheriff or deputy sheriff; [or]

26 (12) any enforcement officer or investigator of the
27 Pennsylvania Game Commission or the Pennsylvania Fish and Boat
28 Commission;

29 (13) DCNR Rangers, DCNR Ranger Supervisors, DCNR Ranger
30 Operations Specialists, DCNR Ranger Trainees and State Park

1 Officers employed by the Department of Conservation and Natural
2 Resources;
3 (14) members of the Fort Indiantown Gap Police;
4 ~~(15) investigative staff of the Office of Inspector General;~~ <--
5 ~~(15) WELFARE FRAUD INVESTIGATORS, WELFARE FRAUD INVESTIGATOR~~ <--
6 ~~SUPERVISORS, CLAIMS INVESTIGATION AGENTS AND CLAIMS~~
7 ~~INVESTIGATION AGENT SUPERVISORS EMPLOYED BY THE OFFICE OF STATE~~
8 ~~INSPECTOR GENERAL;~~
9 (15) ENFORCEMENT OFFICERS, AS DEFINED IN 71 PA.C.S. § 5102 <--
10 (RELATING TO DEFINITIONS), WHO ARE EMPLOYED BY THE OFFICE OF
11 STATE INSPECTOR GENERAL AND WHOSE PRINCIPAL DUTIES INCLUDE THE
12 ENFORCEMENT OF THE PROVISIONS SPECIFIED IN SECTION 506-A OF THE
13 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE
14 ADMINISTRATIVE CODE OF 1929";
15 ~~(16) members of the Allegheny County Port Authority Police~~ <--
16 ~~and transit police officers employed by a participating transit~~
17 ~~or port authority;~~
18 (17) members of the Allegheny County Housing Authority
19 Police and housing police officers employed by a participating
20 housing authority; or
21 (18) corrections officers or jail guards employed by a
22 participating county and whose principal duty is the care,
23 custody and control of inmates;
24 who is injured in the performance of his duties including, in
25 the case of firemen, duty as special fire police, and by reason
26 thereof is temporarily incapacitated from performing his duties,
27 shall be paid by the Commonwealth of Pennsylvania if an employe
28 identified under paragraph (1), (2), (3), (4), (4.1), (5),
29 (5.1), (6), (7), (8) [or], (12), (13), (14) or (15) or by the
30 Delaware River Port Authority if a member of the Delaware River

1 Port Authority Police or by the participating university if a
2 campus police officer or by the Allegheny County Port Authority <--
3 if a member of the Allegheny County Port Authority Police or by
4 a participating transit or port authority if a transit police
5 officer or by the Allegheny County Housing Authority if a member
6 of the Allegheny County Housing Authority Police or by a
7 participating housing authority if a housing police officer or
8 by the county, township or municipality, by which he is
9 employed, his full rate of salary, as fixed by ordinance or
10 resolution, until the disability arising therefrom has ceased.
11 All medical and hospital bills, incurred in connection with any
12 such injury, shall be paid by the Commonwealth of Pennsylvania
13 or by the Delaware River Port Authority or by the participating
14 university or by the Allegheny County Port Authority or by the <--
15 participating transit or port authority or by the Allegheny
16 County Housing Authority or by the participating housing
17 authority or by such county, city, township or municipality.
18 During the time salary for temporary incapacity shall be paid by
19 the Commonwealth of Pennsylvania or by the Delaware River Port
20 Authority or by the participating university or by the Allegheny <--
21 County Port Authority or by the participating transit or port
22 authority or by the Allegheny County Housing Authority or by the
23 participating housing authority or by the county, city, borough,
24 town or township, any workmen's compensation, received or
25 collected by any such employe for such period, shall be turned
26 over to the Commonwealth of Pennsylvania or to the Delaware
27 River Port Authority or to the participating university or to
28 the Allegheny County Port Authority or to the participating <--
29 transit or port authority or to the Allegheny County Housing
30 Authority or to the participating housing authority or to such

1 county, city, borough, town or township, and paid into the
2 treasury thereof, and if such payment shall not be so made by
3 the employe the amount so due the Commonwealth of Pennsylvania,
4 the Delaware River Port Authority or the participating
5 university or the Allegheny County Port Authority or the <--
6 participating transit or port authority or the Allegheny County
7 Housing Authority or the participating housing authority or the
8 county, city, borough, town or township shall be deducted from
9 any salary then or thereafter becoming due and owing.

10 (b) In the case of:

11 (1) the State Police Force;

12 (2) enforcement officers and investigators employed by the
13 Pennsylvania Liquor Control Board;

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

16 (3.1) probation officers employed by a participating county;

17 (4) Capitol Police officers;

18 (4.1) campus police officers employed by a participating
19 university;

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

23 (5.1) commissioned police officers employed by the
24 Department of Corrections, Bureau of Investigations and
25 Intelligence;

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

29 (7) drug enforcement agents of the Office of Attorney
30 General whose principal duty is the enforcement of the drug laws

1 of the Commonwealth;

2 (8) special agents of the Office of Attorney General whose
3 principal duty is the enforcement of the criminal laws of the
4 Commonwealth;

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

6 (10) salaried policemen and firemen;

7 (10.1) firemen employed by the Commonwealth;

8 (11) sheriffs and deputy sheriffs; [and]

9 (12) enforcement officers and investigators of the
10 Pennsylvania Game Commission and the Pennsylvania Fish and Boat
11 Commission;

12 (13) DCNR Rangers, DCNR Ranger Supervisors, DCNR Ranger
13 Operations Specialists, DCNR Ranger Trainees and State Park
14 Officers employed by the Department of Conservation and Natural
15 Resources;

16 (14) members of the Fort Indiantown Gap Police;

17 ~~(15) investigative staff of the Office of Inspector General;~~ <--

18 ~~(15) WELFARE FRAUD INVESTIGATORS, WELFARE FRAUD INVESTIGATOR~~ <--

19 ~~SUPERVISORS, CLAIMS INVESTIGATION AGENTS AND CLAIMS~~

20 ~~INVESTIGATION AGENT SUPERVISORS EMPLOYED BY THE OFFICE OF STATE~~
21 ~~INSPECTOR GENERAL;~~

22 (15) ENFORCEMENT OFFICERS, AS DEFINED IN 71 PA.C.S. § 5102, <--

23 WHO ARE EMPLOYED BY THE OFFICE OF STATE INSPECTOR GENERAL AND

24 WHOSE PRINCIPAL DUTIES INCLUDE THE ENFORCEMENT OF THE PROVISIONS

25 SPECIFIED IN SECTION 506-A OF "THE ADMINISTRATIVE CODE OF 1929";

26 ~~(16) members of the Allegheny County Port Authority Police~~ <--

27 ~~and transit police officers employed by a participating transit~~

28 ~~or port authority;~~

29 (17) members of the Allegheny County Housing Authority

30 Police and housing police officers employed by a participating

1 housing authority; and
2 (18) corrections officers or jail guards employed by a
3 participating county and whose principal duty is the care,
4 custody and control of inmates;

5 who have served for four consecutive years or longer, diseases
6 of the heart and tuberculosis of the respiratory system,
7 contracted or incurred by any of them after four years of
8 continuous service as such, and caused by extreme overexertion
9 in times of stress or danger or by exposure to heat, smoke,
10 fumes or gases, arising directly out of the employment shall be
11 compensable in accordance with the terms hereof; and unless any
12 such disability shall be compensable under the compensation laws
13 as having been caused by accidental injury, such disability
14 shall be compensable as occupational disease disabilities are
15 presently compensable under the compensation laws of this
16 Commonwealth. It shall be presumed that tuberculosis of the
17 respiratory system contracted or incurred after four consecutive
18 years of service was contracted or incurred as a direct result
19 of employment.

20 (c) In the case of any person receiving benefits pursuant to
21 this act, the statutes of limitations set forth in sections
22 306.1, 315, 413, and 434 of the act of June 2, 1915 (P.L.736,
23 No.338), known as the "Workers' Compensation Act," shall not
24 begin to run until the expiration of the receipt of benefits
25 pursuant to this act.

26 (d) (1) All payments herein required to be made by the
27 Commonwealth of Pennsylvania on account of any member of the
28 State Police Force shall be made from moneys appropriated to the
29 Pennsylvania State Police.

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

1 enforcement officer or investigator employed by the Pennsylvania
2 Liquor Control Board shall be made from appropriations out of
3 the State Stores Fund.

4 (3) Any payments required to be made on account of any
5 parole agent, enforcement officer or investigator employed by
6 the Pennsylvania Board of Probation and Parole shall be made
7 from moneys appropriated to the Pennsylvania Board of Probation
8 and Parole.

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

12 (5) Any payments required to be made on account of any
13 correction employe or any commissioned police officer employed
14 by the Department of Corrections, Bureau of Investigations and
15 Intelligence, shall be made from moneys appropriated to the
16 Department of Corrections.

17 (6) Any payments required to be made on account of any
18 psychiatric security aides shall be made from moneys
19 appropriated to the Department of Human Services or the
20 Department of Corrections where appropriate.

21 (6.1) Any payments required to be made on account of any
22 campus police officers employed by a participating university
23 shall be made from moneys appropriated to the participating
24 university.

25 (6.2) Any payments required to be made on account of any
26 DCNR Rangers, DCNR Ranger Supervisors, DCNR Ranger Operations
27 Specialists, DCNR Ranger Trainees and State Park Officers
28 employed by the Department of Conservation and Natural Resources
29 shall be made from moneys appropriated to the Department of
30 Conservation and Natural Resources.

1 (6.3) Any payments required to be made on account of any
2 members of the Fort Indiantown Gap Police Force employed by the
3 Department of Military and Veterans Affairs shall be made from
4 moneys appropriated to the Department of Military and Veterans
5 Affairs.

6 (6.4) Any payments required to be made on account of any
7 investigative staff of the Office of Inspector General WELFARE <--
8 FRAUD INVESTIGATOR, WELFARE FRAUD INVESTIGATOR SUPERVISOR,
9 CLAIMS INVESTIGATION AGENT OR CLAIMS INVESTIGATION AGENT
10 SUPERVISOR EMPLOYED BY THE OFFICE OF STATE INSPECTOR GENERAL
11 shall be made from moneys appropriated to the Office of
12 Inspector General. ENFORCEMENT OFFICER, AS DEFINED IN 71 PA.C.S. <--
13 § 5102, WHO IS EMPLOYED BY THE OFFICE OF STATE INSPECTOR GENERAL
14 AND WHOSE PRINCIPAL DUTIES INCLUDE THE ENFORCEMENT OF THE
15 PROVISIONS SPECIFIED IN SECTION 506-A OF "THE ADMINISTRATIVE
16 CODE OF 1929," SHALL BE MADE FROM MONEYS APPROPRIATED TO THE
17 OFFICE OF STATE INSPECTOR GENERAL.

18 (6.5) Any payments required to be made on account of any <--
19 members of the Allegheny County Port Authority Police shall be
20 made from any moneys appropriated to the Allegheny County Port
21 Authority. (RESERVED). <--

22 (6.6) Any payments required to be made on account of any
23 members of a participating transit or port authority shall be
24 made from moneys appropriated to the participating TRANSIT OR <--
25 PORT authority.

26 (6.7) Any payments required to be made on account of any
27 members of the Allegheny County Housing Authority Police shall
28 be made from any moneys appropriated to the Allegheny County
29 Housing Authority.

30 (6.8) Any payments required to be made on account of any

1 members of a participating housing authority shall be made from
2 moneys appropriated to the housing authority.

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 2.1. For the purposes of this act, the [term
23 "fireman" shall mean and include the following:] following words
24 and phrases shall have the meanings given to them in this
25 section unless the context clearly indicates otherwise:

26 "Fireman." Any of the following:

- 27 (1) Paid firemen not employed by the Commonwealth.
28 (2) Emergency medical services personnel employed within a
29 city fire department.
30 (3) Firemen of airport authorities, including fire

1 suppression instructors.

2 (4) Fire and safety marshals who are firemen employed by the
3 Commonwealth.

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

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

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

9 "Participating county." A county that elects or bargains to
10 participate in this act by ~~submitting a notice to the Department~~ <--
11 ~~of Labor and Industry,~~ POSTING A NOTICE ON THE COUNTY'S PUBLICLY <--
12 ACCESSIBLE INTERNET WEBSITE, which election shall be irrevocable
13 after participation in this act commences.

14 "Participating housing authority." A housing authority that
15 elects or bargains to participate in this act by ~~submitting a~~ <--
16 ~~notice to the Department of Labor and Industry,~~ POSTING A NOTICE <--
17 ON THE HOUSING AUTHORITY'S PUBLICLY ACCESSIBLE INTERNET WEBSITE,
18 which election shall be irrevocable after participating in this
19 act commences.

20 "Participating transit or port authority." A transit or port
21 authority that elects or bargains, IN ITS SOLE AND EXCLUSIVE <--
22 DISCRETION, to participate in this act by ~~submitting a notice to~~ <--
23 ~~the Department of Labor and Industry,~~ POSTING A NOTICE ON THE <--
24 TRANSIT OR PORT AUTHORITY'S PUBLICLY ACCESSIBLE INTERNET
25 WEBSITE, which election shall be irrevocable after participating
26 in this act commences.

27 "Participating university." Any of the following that elects
28 or bargains to participate in this act by ~~submitting a notice to~~ <--
29 ~~the Department of Labor and Industry,~~ POSTING A NOTICE ON THE <--
30 UNIVERSITY'S PUBLICLY ACCESSIBLE INTERNET WEBSITE, which

1 election shall be irrevocable after participation in this act
2 commences:

3 (1) A State-owned university.

4 (2) A community college.

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

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

7 Section 2. This act shall take effect in ~~60~~ 120 days.

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