

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1673 Session of 2019

INTRODUCED BY FARRY, BARRAR, DiGIROLAMO, SCHLOSSBERG, SCHMITT, MEHAFFIE, KULIK, LONGIETTI, HELM, STAATS, ULLMAN, MILLARD, THOMAS, POLINCHOCK, O'MARA, READSHAW, DUNBAR, YOUNGBLOOD, CAUSER, HILL-EVANS, GALLOWAY, BROWN, CIRESI, SAINATO, D. MILLER, DeLUCA, KIRKLAND, T. DAVIS, FREEMAN AND STRUZZI, JUNE 24, 2019

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, JUNE 24, 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.

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 State Fire Commissioner.

14 * * *

15 "Length of service award program." A system established by a
 16 volunteer fire company or volunteer firefighters' relief

1 association to provide tax-deferred income benefits to active
2 volunteer members of a fire service.

3 "Volunteer fire company." As defined in section 7802
4 (relating to definitions).

5 * * *

6 Section 2. Section 7413 introductory paragraph and (4) 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 * * *

18 (4) Safeguards for preserving life, health and safety of
19 volunteer firefighters to ensure their availability to
20 participate in the fire service, including necessary
21 training.

22 * * *

23 (6.1) Financial assistance to recruit and retain
24 volunteer firefighters.

25 * * *

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

28 § 7416. Funds.

29 * * *

30 (f) Use.--Funds of any volunteer firefighters' relief

1 association may be spent:

2 * * *

3 (11) To purchase safeguards for preserving life, health
4 and safety of volunteer firefighters to ensure their
5 availability to participate in the volunteer fire service,
6 including necessary training.

7 * * *

8 (18) To provide financial assistance for activities and
9 material needed to aid in the recruitment and retention of
10 volunteer firefighters.

11 (19) To establish and pay for length of service award
12 programs.

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

14 § 7418. Audits.

15 (a) General rule.--

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

26 (2) The commissioner, in consultation with the fire
27 safety advisory committee, shall establish and publish
28 annually, on the Office of the State Fire Commissioner's
29 publicly accessible Internet website, eligible uses of the
30 money in accordance with this subchapter.

1 (3) The commissioner may receive inquiries from the fire
2 services on eligible uses of money and, in consultation with
3 the Fire Safety Advisory Committee, make a determination on
4 the eligible use of money on the equipment or service that is
5 the subject of the inquiry.

6 (4) Notwithstanding paragraph (1), the commissioner
7 shall maintain authority relating to the eligible uses of
8 money received.

9 (b) Findings.--If the Auditor General finds that [any] money
10 received by a volunteer firefighters' relief association has
11 been expended for a purpose other than one authorized by this
12 subchapter, the Auditor General shall immediately notify the
13 Governor and the commissioner and shall decline to approve
14 further requisitions calling for payment to the volunteer
15 firefighters' relief association until the improperly expended
16 amount has been reimbursed to the relief association fund.

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